

AUTO CR - LOG SUMMARY #1073277

TYPE: CR

Incident Finding / Overall Case Finding

| Description of Incident | Finding | Entered By | Entered Date |
|-------------------------|---------|------------|--------------|
| (None Entered) | | | |

Reporting Party Information

| | Role | Name | Star No. | Emp No. | UOA / UOD | Position | Sex | Race | Address | Phone |
|--------------|-------------------------|------------------|----------|------------|-----------|--------------------|-----|------|---------|-------|
| CPD Employee | Reporting Party Witness | RISLEY, THOMAS B | 2585 | [REDACTED] | 123 / | SERGEANT OF POLICE | M | WHI | | |

Incident Information

| Incident From Date/Time | Address of Incident | Beat | Dist. Of Occurrence | Location Code | Location Description |
|---------------------------------------|---|------|---------------------|---------------------------------------|----------------------|
| 23-DEC-2014 11:00 - 06-JAN-2015 01:00 | 3510 S MICHIGAN AVE, CHICAGO, 0213 IL 60653 | 002 | | 280 - POLICE FACILITY/VEH PARKING LOT | |

Accused Members

| | Role | Name | Star No. | Emp No. | UOA / UOD | Position | Status | Initial / Intake Allegation |
|--------------|---------|-----------------|------------|------------|-----------|----------------|----------|---|
| CPD Employee | Accused | MICELI, ANTHONY | [REDACTED] | [REDACTED] | 006 / 376 | POLICE OFFICER | OFF Duty | The reporting party alleged that the accused officer failed to follow medical policy and made false reports regarding his medical appointments. |

Other Involved Parties

| | Role | Name | Star No. | Emp No. | UOA / UOD | Position | Sex | Race | Address | Phone |
|--------------|---------|---------------|----------|------------|-----------|----------------|-----|------|---------|-------|
| CPD Employee | Witness | NEARY, DAWN M | 12013 | [REDACTED] | 012 / 231 | POLICE OFFICER | F | WHI | | |

Involved Party Associations

| Role | Rep. Party Name | Related Person | Relationship |
|-------------------------|------------------|-----------------|-----------------|
| Reporting Party Witness | RISLEY, THOMAS B | MICELI, ANTHONY | EMPLOYEE |
| Reporting Party Witness | RISLEY, THOMAS B | NEARY, DAWN M | NO RELATIONSHIP |

Incident Details

| | | | |
|--------------------------------|---|------------------------------|-----|
| CR Required? | | Manner Incident Received? | PAX |
| Confidential? | | Biased Language? | N |
| Extraordinary Occurrence? | N | Bias Based Profiling? | N |
| Police Shooting (U)? | N | Alcohol Related? | N |
| Non Disciplinary Intervention: | N | Pursuit Related? | N |
| Initial Assignment: | IAD | Violence in Workplace? | N |
| Notify IAD Immediately? | N | Domestic Violence? | N |
| EEO Complaint No.: | | Civil Suit Settled Date: | |
| Civil Suit No.: | | Notify Chief? | |
| Notify Chief Administator? | N | Notification Does Not Apply? | Y |
| Notify Coordinator? | | | |
| Notification Other? | N | | |
| Notification Comments: | SGT. RISLEY NOTIFIED IPRA AT 0931 HOURS | | |

Incident Category List

| Incident Category | Primary? | Initial? |
|---|----------|----------|
| 17C - GROUP 17 - MEDICAL MEDICAL ROLL VIOLATION | Y | N |
| 17C - GROUP 17 - MEDICAL MEDICAL ROLL VIOLATION | Y | Y |

Investigator History

| Investigator | Type | Assigned Team | Assigned Date | Scheduled End Date | Investigation End Date | No. of Days |
|------------------|------------|-------------------------------|---------------|--------------------|------------------------|-------------|
| FENNER, NAKIA | Primary | GENERAL INVESTIGATION SECTION | 12-JAN-2015 | 11-JUL-2015 | 11-JUN-2015 | 150 |
| O KELLY, PATRICK | Supervisor | GENERAL INVESTIGATION SECTION | 12-JAN-2015 | 11-FEB-2015 | 11-JUN-2015 | |

Extension History

| Name | Previous Scheduled End Date | Extended Scheduled End Date | Date Certified Letter Sent | Reason Selected | Explanation | Extension Report Date | Approved By | Approved Date | Approval Comments |
|---------------|-----------------------------|-----------------------------|----------------------------|--|---|-----------------------|------------------|---------------|-------------------|
| FENNER, NAKIA | 11-JUN-2015 | 11-JUL-2015 | | OTHER (DESCRIBE) | INVESTIGATION CLOSED | 11-JUN-2015 | O KELLY, PATRICK | 11-JUN-2015 | |
| FENNER, NAKIA | 12-MAY-2015 | 11-JUN-2015 | | REPORTS, RECORDS, STATEMENTS, LAB TESTS UNAVAIL. (SPECIFY) | Accused requested to provide documentation. | 26-MAY-2015 | O KELLY, PATRICK | 26-MAY-2015 | |
| FENNER, NAKIA | 12-APR-2015 | 12-MAY-2015 | | ACCUSED UNAVAIL. FOR INTERVIEW (REASON, EXP ECTED RETURN DATE) | Accused on furlough until 09 May 15 | 27-APR-2015 | O KELLY, PATRICK | 28-APR-2015 | |
| FENNER, NAKIA | 13-MAR-2015 | 12-APR-2015 | | OTHER (DESCRIBE) | Investigation continues | 12-MAR-2015 | O KELLY, PATRICK | 13-MAR-2015 | |
| FENNER, NAKIA | 11-FEB-2015 | 13-MAR-2015 | | OTHER (DESCRIBE) | Investigation continues | 17-FEB-2015 | O KELLY, PATRICK | 17-FEB-2015 | |

Current Allegations

| Accused Name | Seq. No. | Allegation | Category | Subcategory | Finding |
|-----------------|----------|---|------------------------|--------------------------|---------------|
| MICELI, ANTHONY | 1 | On 23 December 2014 at 1100 hours at 3510 S Michigan (Medical Services Section), reporting party Sgt. Thomas RISLEY #2585 alleges that the accused police officer Anthony MICELI #16220 failed to follow medical roll procedures in that MICELI failed to appear for a scheduled appointment as directed by the Medical Services Section. | 17C IAD SUBCODE 17C | FAILURE TO APPEAR AT MSS | NOT SUSTAINED |
| MICELI, ANTHONY | 2 | On 06 January 2015 at 1300 hours at 3510 S Michigan (Medical Services Section), reporting party Sgt. Thomas RISLEY #2585 alleges that the accused police officer Anthony MICELI #16220 failed to follow medical roll procedures in that MICELI failed to appear for a scheduled appointment as directed by the Medical Services Section. | 17C IAD SUBCODE 17C | FAILURE TO APPEAR AT MSS | NOT SUSTAINED |
| MICELI, ANTHONY | 3 | On 06 January 2015 at 1300 hours at 3510 S Michigan (Medical Services Section), reporting party Sgt. Thomas RISLEY #2585 alleges that the accused police officer Anthony MICELI #16220 failed to follow medical roll procedures in that MICELI provided inaccurate statements regarding the date of his doctor's appointment. | 017 GROUP 17 - MEDICAL | MISCELLANEOUS | NOT SUSTAINED |

Situations (Allegation Details)

| Accused Name | Alleg. No. | Situation | Victim/Offender Armed? | Weapon Types | Weapon Other | Weapon Recovered? | Deceased? |
|--------------|------------|-----------|------------------------|--------------|--------------|-------------------|-----------|
|--------------|------------|-----------|------------------------|--------------|--------------|-------------------|-----------|

Status History

| Resulting Status | Status Date/Time | Created By | Position | UOA / UOD | Comments |
|---|-------------------|------------------|--------------------|-----------|----------|
| CLOSED/FINAL | 18-AUG-2015 08:16 | HIXSON, BRIGID | POLICE OFFICER | 121 / | |
| PENDING IMPLEMENT ACTION | 18-AUG-2015 07:04 | HIXSON, BRIGID | POLICE OFFICER | 121 / | |
| PENDING REVIEW AFTER COMMAND CHANNEL (I.A.D.) | 02-AUG-2015 09:35 | WILLIAMS, EUGENE | CHIEF | 120 / | |
| PENDING COMMAND CHANNEL REVIEW | 28-JUL-2015 09:48 | LEWIN, JONATHAN | DEP CHIEF | 130 / | |
| PENDING COMMAND CHANNEL REVIEW | 26-JUN-2015 10:33 | COSTELLO, ROBERT | SERGEANT OF POLICE | 004 / 121 | |
| PENDING ADVOCATE REVIEW | 26-JUN-2015 09:10 | HIXSON, BRIGID | POLICE OFFICER | 121 / | |
| PENDING REVIEW INCIDENT (I.A.D./DISTRICT USE) | 11-JUN-2015 01:11 | O KELLY, PATRICK | SERGEANT OF POLICE | 121 / | |
| PENDING LIEUTENANT REVIEW | 11-JUN-2015 01:10 | O KELLY, PATRICK | SERGEANT OF POLICE | 121 / | |

Status History

| Resulting Status | Status Date/Time | Created By | Position | UOA / UOD | Comments |
|------------------------------|-------------------|--------------------|----------------------|-----------|---|
| PENDING INVESTIGATIVE REVIEW | 11-JUN-2015 11:40 | FENNER, NAKIA | SERGEANT OF POLICE | 121 / | |
| PENDING INVESTIGATION | 12-JAN-2015 10:22 | TIERNEY, JOHN | SERGEANT OF POLICE | 121 / | |
| PENDING ASSIGN INVESTIGATOR | 08-JAN-2015 03:58 | CLARK, SUSAN | LIEUTENANT OF POLICE | 121 / | Type Changed from INFO to CR on 08-JAN-2015 15:58 by CLARK, SUSAN |
| PENDING APPROVE TEAM | 08-JAN-2015 02:33 | WATSON, JOHN | POLICE OFFICER | 121 / | |
| PENDING ASSIGN TEAM | 08-JAN-2015 10:42 | QUERFURTH, PATRICK | SUPERVISING INV COPA | 113 / | |
| PENDING SUPERVISOR REVIEW | 08-JAN-2015 10:25 | HAYES, SHANNON | INVESTIGATOR 2 COPA | 113 / | |
| PRELIMINARY | 08-JAN-2015 09:31 | HAYES, SHANNON | INVESTIGATOR 2 COPA | 113 / | |

Attachments

| No. | Type | Related Person | No. of Pages | Narrative | Original in File | Entered By | Entered Date/Time | Status | Approve Content | Approve Inclusion |
|-----|-------------------------------------|---------------------------|--------------|--|------------------|----------------|-------------------|-----------------------------------|-----------------|-------------------|
| 1 | INVESTIGATION | | | | | FENNER, NAKIA | 12-JAN-2015 02:46 | | | |
| 1 | FACE SHEET | | | | | HAYES, SHANNON | 08-JAN-2015 09:31 | | | |
| 2 | CONFLICT CERTIFICATION | | | | | FENNER, NAKIA | 12-JAN-2015 02:46 | | | |
| 3 | DOCUMENTS - INVESTIGATION | | 1 | NOT REQUIRED | Y | FENNER, NAKIA | 12-MAR-2015 12:36 | APPROVED | | |
| 4 | DOCUMENTS - INTAKE INCIDENT | | 3 | | N | HAYES, SHANNON | 08-JAN-2015 10:24 | APPROVED | | |
| 5 | DOCUMENTS - INVESTIGATION | ACCUSED - MICELI, ANTHONY | 6 | Medical Certification and Progress Notes | N | FENNER, NAKIA | 26-FEB-2015 03:34 | APPROVED | | |
| 6 | DOCUMENTS - INVESTIGATION | ACCUSED - MICELI, ANTHONY | 1 | Doctor Statement | N | FENNER, NAKIA | 26-FEB-2015 03:37 | APPROVED | | |
| 7 | DOCUMENTS - INVESTIGATION | ACCUSED - MICELI, ANTHONY | 1 | Doctor Statement #2 | Y | FENNER, NAKIA | 08-JUN-2015 02:57 | APPROVED | | |
| 8 | DOCUMENTS - INVESTIGATION | | 2 | Submitted by Medical Services Section | N | FENNER, NAKIA | 12-MAR-2015 12:44 | APPROVED | | |
| 9 | DOCUMENTS - INVESTIGATION | | 5 | E03-01-02 | N | FENNER, NAKIA | 12-MAR-2015 12:46 | APPROVED | | |
| 10 | WITNESS NOTIFICATION | | | | | FENNER, NAKIA | 19-FEB-2015 10:42 | WITNESS ACKNOWLEDGED NOTIFICATION | | |
| 11 | DOCUMENTS - INVESTIGATION | | 8 | SERGEANT | Y | FENNER, NAKIA | 26-FEB-2015 03:50 | APPROVED | | |
| 12 | ACCUSED NOTIFICATION OF ALLEGATIONS | ACCUSED - MICELI, ANTHONY | | | | FENNER, NAKIA | 19-FEB-2015 10:47 | ACCUSED ACKNOWLEDGED ALLEGATIONS | | |
| 13 | DOCUMENTS - INVESTIGATION | ACCUSED - MICELI, ANTHONY | 8 | | Y | FENNER, NAKIA | 11-MAR-2015 11:57 | APPROVED | | |
| 14 | WITNESS NOTIFICATION | | | | | FENNER, NAKIA | 11-MAR-2015 11:16 | WITNESS ACKNOWLEDGED NOTIFICATION | | |
| 15 | DOCUMENTS - INVESTIGATION | | 8 | MSS Case Manager | Y | FENNER, NAKIA | 12-MAR-2015 12:18 | APPROVED | | |
| | DOCUMENTS - INVESTIGATION | | 6 | CLOSING PACKET | Y | FENNER, NAKIA | 11-JUN-2015 11:33 | APPROVED | | |
| | DOCUMENTS - INVESTIGATION | | 7 | Missing 1 page. | Y | FENNER, NAKIA | 26-FEB-2015 03:38 | DELETED | | |

Review Incident

| Review Type | Accused/Involved Member Name | Result Type | Reviewed By | Position | Unit | Review Date | Remarks |
|---------------------------|------------------------------|-------------|------------------|--------------------|------|-------------------|------------------|
| ASSISTANT ADVOCATE REVIEW | MICELI, ANTHONY | SUBMITTED | HIXSON, BRIGID | POLICE OFFICER | 121 | 18-AUG-2015 07:04 | Close to Records |
| ASSISTANT ADVOCATE REVIEW | | SUBMITTED | HIXSON, BRIGID | POLICE OFFICER | 121 | 26-JUN-2015 09:10 | CCR |
| LIEUTENANT REVIEW | | SUBMITTED | O KELLY, PATRICK | SERGEANT OF POLICE | 196 | 11-JUN-2015 01:11 | |
| SERGEANT REVIEW | | SUBMITTED | O KELLY, PATRICK | SERGEANT OF POLICE | 196 | 11-JUN-2015 01:10 | |

Review Accused

Review Accused

| Review Type | Accused/Involved Member Name | Result Type | Reviewed By | Position | Unit | Review Date | Remarks |
|-------------------------------|------------------------------|-------------|------------------|----------------------|------|-------------------|------------------|
| ADVOCATE OFFICE CLOSING STEPS | MICELI, ANTHONY | SUBMITTED | HIXSON, BRIGID | POLICE OFFICER | 121 | 18-AUG-2015 08:16 | Close to Records |
| COMMAND CHANNEL REVIEW | MICELI, ANTHONY | SUBMITTED | WILLIAMS, EUGENE | LIEUTENANT OF POLICE | 120 | 02-AUG-2015 09:35 | |
| COMMAND CHANNEL REVIEW | MICELI, ANTHONY | SUBMITTED | LEWIN, JONATHAN | CHIEF | 130 | 28-JUL-2015 09:48 | |
| ADVOCATE REVIEW | MICELI, ANTHONY | SUBMITTED | COSTELLO, ROBERT | LIEUTENANT OF POLICE | 002 | 26-JUN-2015 10:33 | |

Accused Finding History

| Accused | Allegation | Reviewed By | Reviewed Date/Time | CCR? | Concur? | Finding | Finding Comments |
|-----------------|--|------------------|--------------------|------|---------|---------------|------------------|
| MICELI, ANTHONY | 3. On 06 January 2015 at 1300 hours at 3510 S Michigan (Medical... | WILLIAMS, EUGENE | 02-AUG-2015 09:35 | Y | Y | NOT SUSTAINED | |
| MICELI, ANTHONY | 1. On 23 December 2014 at 1100 hours at 3510 S Michigan (Medica... | WILLIAMS, EUGENE | 02-AUG-2015 09:35 | Y | Y | NOT SUSTAINED | |
| MICELI, ANTHONY | 2. On 06 January 2015 at 1300 hours at 3510 S Michigan (Medical... | WILLIAMS, EUGENE | 02-AUG-2015 09:35 | Y | Y | NOT SUSTAINED | |
| MICELI, ANTHONY | 2. On 06 January 2015 at 1300 hours at 3510 S Michigan (Medical... | LEWIN, JONATHAN | 28-JUL-2015 09:48 | Y | Y | NOT SUSTAINED | |
| MICELI, ANTHONY | 1. On 23 December 2014 at 1100 hours at 3510 S Michigan (Medica... | LEWIN, JONATHAN | 28-JUL-2015 09:48 | Y | Y | NOT SUSTAINED | |
| MICELI, ANTHONY | 3. On 06 January 2015 at 1300 hours at 3510 S Michigan (Medical... | LEWIN, JONATHAN | 28-JUL-2015 09:48 | Y | Y | NOT SUSTAINED | |
| MICELI, ANTHONY | 3. On 06 January 2015 at 1300 hours at 3510 S Michigan (Medical... | FENNER, NAKIA | 11-JUN-2015 11:40 | | | NOT SUSTAINED | |
| MICELI, ANTHONY | 2. On 06 January 2015 at 1300 hours at 3510 S Michigan (Medical... | FENNER, NAKIA | 11-JUN-2015 11:40 | | | NOT SUSTAINED | |
| MICELI, ANTHONY | 1. On 23 December 2014 at 1100 hours at 3510 S Michigan (Medica... | FENNER, NAKIA | 11-JUN-2015 11:40 | | | NOT SUSTAINED | |

Accused Penalty History

| Accused | Reviewed By | Reviewed Date/Time | CCR? | Concur? | Penalty | Penalty Comments |
|---------|-------------|--------------------|------|---------|---------|------------------|
|---------|-------------|--------------------|------|---------|---------|------------------|

Findings

| Accused Name | Allegations | Category | Concur? | Findings | Comments |
|-----------------|---|------------------------|---------|---------------|----------|
| MICELI, ANTHONY | On 23 December 2014 at 1100 hours at 3510 S Michigan (Medical Services Section), reporting party Sgt. Thomas RISLEY #2585 alleges that the accused police officer Anthony MICELI #16220 failed to follow medical roll procedures in that MICELI failed to appear for a scheduled appointment as directed by the Medical Services Section. | 17C IAD SUBCODE 17C | | NOT SUSTAINED | |
| MICELI, ANTHONY | On 06 January 2015 at 1300 hours at 3510 S Michigan (Medical Services Section), reporting party Sgt. Thomas RISLEY #2585 alleges that the accused police officer Anthony MICELI #16220 failed to follow medical roll procedures in that MICELI failed to appear for a scheduled appointment as directed by the Medical Services Section. | 17C IAD SUBCODE 17C | | NOT SUSTAINED | |
| MICELI, ANTHONY | On 06 January 2015 at 1300 hours at 3510 S Michigan (Medical Services Section), reporting party Sgt. Thomas RISLEY #2585 alleges that the accused police officer Anthony MICELI #16220 failed to follow medical roll procedures in that MICELI provided inaccurate statements regarding the date of his doctor's appointment. | 017 GROUP 17 - MEDICAL | | NOT SUSTAINED | |

FACE SHEET (Notification Date: 08-JAN-2015) - LOG #1073277

TYPE: CR

Reporting Party Information

| | Role | Name | Star No. | Emp No. | UOA / UOD | Position | Sex | Race | Address | Phone |
|--------------|-----------------------------|------------------|----------|------------|-----------|--------------------|-----|------|---------|-------|
| CPD Employee | Reporting Party Third Party | RISLEY, THOMAS B | 2585 | [REDACTED] | 123 / | SERGEANT OF POLICE | M | WHI | | |

Incident Information

| Incident From Date/Time | Address of Incident | Beat | Dist. Of Occurrence | Location Code | Location Description |
|---------------------------------------|---|------|---------------------|---------------------------------------|----------------------|
| 26-DEC-2014 01:10 - 26-DEC-2014 01:10 | 3510 S MICHIGAN AVE, CHICAGO, 0213 IL 60653 | 002 | | 280 - POLICE FACILITY/VEH PARKING LOT | |

Accused Members

| | Role | Name | Star No. | Emp No. | UOA / UOD | Position | Status | Initial / Intake Allegation |
|--------------|---------|-----------------|------------|------------|-----------|----------------|----------|---|
| CPD Employee | Accused | MICELI, ANTHONY | [REDACTED] | [REDACTED] | 006 / 376 | POLICE OFFICER | OFF Duty | The reporting party alleged that the accused officer failed to follow medical policy and made false reports regarding his medical appointments. |

Incident Details

| | | | |
|--------------------------------|-----|------------------------------|-----|
| CR Required? | | Manner Incident Received? | PAX |
| Confidential? | | Biased Language? | N |
| Extraordinary Occurrence? | N | Bias Based Profiling? | N |
| Police Shooting (U)? | N | | |
| Motor Vehicle (V)? | | Alcohol Related? | N |
| Non Disciplinary Intervention: | N | Pursuit Related? | N |
| Initial Assignment: | IAD | Violence in Workplace? | N |
| Notify IAD Immediately? | N | Domestic Violence? | N |
| EEO Complaint No.: | | | |
| Civil Suit No.: | | Notify Chief? | |
| Notify Chief Administator? | N | Notification Does Not Apply? | Y |
| Notify Coordinator? | | | |
| Notification Other? | N | | |

Initial Incident Category List

| Initial Incident Category | Primary? |
|---|----------|
| 17C - GROUP 17 - MEDICAL MEDICAL ROLL VIOLATION | Y |
| 17C - GROUP 17 - MEDICAL MEDICAL ROLL VIOLATION | Y |

Assignment History

| Assigned To | Assigned Team | Investigator | Assignment Date/Time | Assigned By | Reason |
|-------------|-------------------------------|-------------------------------|----------------------|----------------|--------|
| IAD | GENERAL INVESTIGATION SECTION | O KELLY, PATRICK (SUPERVISOR) | 12-JAN-2015 10:22 | TIERNEY, JOHN | |
| IAD | GENERAL INVESTIGATION SECTION | FENNER, NAKIA (PRIMARY INV) | 12-JAN-2015 10:22 | TIERNEY, JOHN | |
| IAD | GENERAL INVESTIGATION SECTION | - | 08-JAN-2015 14:33 | WATSON, JOHN | |
| IAD | INTERNAL AFFAIRS DIVISION | - | 08-JAN-2015 09:31 | HAYES, SHANNON | |

Status History

| Resulting Status | Status Date/Time | Created By | Position | UOA / UOD | Comments |
|---|-------------------|------------------|----------------|-----------|----------|
| CLOSED/FINAL | 18-AUG-2015 08:16 | HIXSON, BRIGID | POLICE OFFICER | 121 / | |
| PENDING IMPLEMENT ACTION | 18-AUG-2015 07:04 | HIXSON, BRIGID | POLICE OFFICER | 121 / | |
| PENDING REVIEW AFTER COMMAND CHANNEL (I.A.D.) | 02-AUG-2015 09:35 | WILLIAMS, EUGENE | CHIEF | 120 / | |

Status History

| Resulting Status | Status Date/Time | Created By | Position | UOA / UOD | Comments |
|---|-------------------|--------------------|----------------------|-----------|---|
| PENDING COMMAND CHANNEL REVIEW | 28-JUL-2015 09:48 | LEWIN, JONATHAN | DEP CHIEF | 130 / | |
| PENDING COMMAND CHANNEL REVIEW | 26-JUN-2015 10:33 | COSTELLO, ROBERT | SERGEANT OF POLICE | 004 / 121 | |
| PENDING ADVOCATE REVIEW | 26-JUN-2015 09:10 | HIXSON, BRIGID | POLICE OFFICER | 121 / | |
| PENDING REVIEW INCIDENT (I.A.D./DISTRICT USE) | 11-JUN-2015 01:11 | O KELLY, PATRICK | SERGEANT OF POLICE | 121 / | |
| PENDING LIEUTENANT REVIEW | 11-JUN-2015 01:10 | O KELLY, PATRICK | SERGEANT OF POLICE | 121 / | |
| PENDING INVESTIGATIVE REVIEW | 11-JUN-2015 11:40 | FENNER, NAKIA | SERGEANT OF POLICE | 121 / | |
| PENDING INVESTIGATION | 12-JAN-2015 10:22 | TIERNEY, JOHN | SERGEANT OF POLICE | 121 / | |
| PENDING ASSIGN INVESTIGATOR | 08-JAN-2015 03:58 | CLARK, SUSAN | LIEUTENANT OF POLICE | 121 / | Type Changed from INFO to CR on 08-JAN-2015 15:58 by CLARK, SUSAN |
| PENDING APPROVE TEAM | 08-JAN-2015 02:33 | WATSON, JOHN | POLICE OFFICER | 121 / | |
| PENDING ASSIGN TEAM | 08-JAN-2015 10:42 | QUERFURTH, PATRICK | SUPERVISING INV COPA | 113 / | |
| PENDING SUPERVISOR REVIEW | 08-JAN-2015 10:25 | HAYES, SHANNON | INVESTIGATOR 2 COPA | 113 / | |
| PRELIMINARY | 08-JAN-2015 09:31 | HAYES, SHANNON | INVESTIGATOR 2 COPA | 113 / | |

SWORN AFFIDAVIT FOR COMPLAINT LOG INVESTIGATION
CHICAGO POLICE DEPARTMENT

STATE OF ILLINOIS)
)
COUNTY OF COOK) CC
)

| | | |
|---|--------------------------|--------------|
| Location of Incident 3510 S Michigan Ave | Date 23 December 2014 | Time 1100 |
|---|--------------------------|--------------|

Summary of Statement(s):

On 23 December 2014 at 1100 hours at 3510 S Michigan (Medical Services Section), reporting party Sgt. Thomas RISLEY #2585 alleges that the accused police officer Anthony MICELI #16220 failed to follow medical roll procedures in that MICELI failed to appear for a scheduled appointment as directed by the Medical Services Section.

On 06 January 2015 at 1300 hours at 3510 S Michigan (Medical Services Section), reporting party Sgt. Thomas RISLEY #2585 alleges that the accused police officer Anthony MICELI #16220 failed to follow medical roll procedures in that MICELI failed to appear for a scheduled appointment as directed by the Medical Services Section.

On 06 January 2015 at 1300 hours at 3510 S Michigan (Medical Services Section), reporting party Sgt. Thomas RISLEY #2585 alleges that the accused police officer Anthony MICELI #16220 failed to follow medical roll procedures in that MICELI provided inaccurate statements regarding the date of his doctor's appointment.

I, _____ hereby state as follows:

1. I have read the above summary and/or attached statement(s) in its entirety, reviewed it for accuracy and been given an opportunity to make corrections and additions to the statement(s).
2. Under penalties as provided by law pursuant to 735 ILCS 5/1-109, I certify that the information set forth in the statement(s) above and/or attached summary are true and correct, except as to any matters therein stated to be on information and belief as to such matters, I certify as aforesaid that I verily believe the same to be true.

Print Affiant's Name

Affiant's Signature

Print Witness' Name

Witness' Signature

Date

Date

BUREAU SUPPORT SERVICES
Human Resources Division
Medical Services Section

08 January 2015

TO: Cassandra L. Judon
Commanding Officer
Medical Services Section

FROM: Sgt. Thomas B. Risley #2585

SUBJECT: Initiation Report
C.L. 107327

Date/Time/Location: 26 December 2014 @1310 hrs
3510 S. Michigan Ave (CPD Headquarters)

Complainant: Sgt. Thomas B. Risley #2585
Medical Services Section
312-745-5025 Pax-0132

Accused: P.O. Anthony Miceli #16220
Employee.# [REDACTED]
Detailed to Unit 376

Witness #1: [REDACTED] Empl. # [REDACTED]
Assigned to Unit 231
[REDACTED]

Witness #2: P.O. Dawn Neary #12013
Detailed to Unit 231
312-745-5062

Allegation: 1. Failure to follow Medical Policy 2. Making
false reports whether written or oral

On or about 26 December 2014, the undersigned received a call from the accused advising the Medical Services Section-MSS, that he had been unable to report for a scheduled appointment on 23 December 2014 at 1100 hrs because he had left the note provided by his doctor in his pants and it was washed leaving it unreadable (Note 712471). When questioned why he couldn't obtain either a new note or copy of the original, the accused stated the doctor's officer was close Christmas week. This statement was confirmed by the undersigned by telephoning the doctor's office and receiving a voice message indicating same. A review of previous Progress Notes document that the

Initiation Report
Page 2 of 3

accused was originally scheduled to report to MSS on 22 December 2014 at 1100 hrs (Note 709549) and phoned at @1055hrs stating his back was acting up and that's the reason he could not report. No mention of a washed and unreadable doctor's note was mentioned at that time (Note 712003).

The undersigned asked the accused if he is to remain off work based on the note he washed. The accused replied in the affirmative and was then asked to provide the date and time of the follow-up appointment with his doctor. The accused related he was scheduled to see his doctor on 06 January 2015 and was extended to report to the MSS on 06 January 2015 at @1300 hrs following the appointment. The accused was advised of same and acknowledged (Note 712471).

On 06 January 2015 at @1259hrs, just minutes prior to his appointment at MSS, the accused contacted the MSS to report his appointment with his doctor had been changed from today to tomorrow on 07 January 2015 at 1030hrs (Note 713896). Upon learning of the call by the accused, the undersigned advised MSS Case Manager P.O. D. Neary of these claims. P.O. Neary immediately telephoned the doctor's office of the accused to confirm what he had related. P.O. Neary spoke with staff member [REDACTED] who related the accused was actually scheduled to report on 05 January 2015 and rescheduled for today, 06 January 2015 and had already been seen by his doctor and left the building (Note 713927).

On 07 January 2015 at @1228 hours, the accused reported to the MSS and was seen by his CM P.O. D. Neary. The accused presented a note from his doctor dated 06 January 2015 (copy attached). During the interview with the accused, CM P.O. Neary questioned the accused about the discrepancy on the note after learning he failed to report on 06 January 2015 because he claimed his appointment had been changed from 06 to 07 January 2015. The accused replied, "I was in his office today, he must have written the wrong date (Note 714189)."

Based on this preliminary investigation, it appears the accused has repeatedly provided inaccurate statements to several members of the MSS staff, including the undersigned, and also failed to follow medical policy as required. As a result, the undersigned contacted the Independent Police Review Authority-IPRA and obtained Control Log-CL 107327. The CL was registered with Investigator Hayes #137 at 0931 hrs.

Attachments: Progress Note Nos. 709549, 712003, 712471, 713896, 713927 and 714189. Copy of doctor's note dated 06 January 2015.

To: 63592

From: (3127456955)

01/08/15 10:08 AM Page 3 of 3

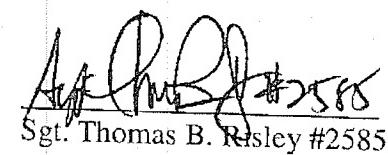
Initiation Report
Page 3 of 3

This page for signatures only

Approved:

Capt. C Judon

Cpt. Cassandra L. Judon
C/O, Medical Services Section


Sgt. Thomas B. Risley #2585

BUREAU OF ADMINISTRATIONHuman Resources Division/Medical Services Section
Chicago Police Department

TO: NAME: P.O. Anthony Miceli

FROM: ADMINISTRATION
MEDICAL SERVICES SECTION

SUBJECT: MEDICAL ROLL/LIMITED DUTY CERTIFICATION

EMPLOYEE NO.: _____

UNIT NO.

376

SCHEDULED FURLoughs THIS YEAR

N/A

OTHER TIME OFF IN THE NEXT 4 WEEKS

| | | |
|--------------------------------------|-------------------|--|
| DAY-OFF GROUP <u>63</u> | WATCH <u>3</u> | DATE OF MSS APPOINTMENT <u>22-Dec 14.</u> |
| RANGE QUALIFICATION APPOINTMENT DATE | | TIME <u>1100</u> |

OFFICERS ARE REQUIRED TO BE ON TIME AT THE RANGE WITH DUTY WEAPON, DUTY GUN BELT, SOFT BODY ARMOR, SPEED LOADERS OR 3 MAGAZINES, AND REGISTRATION.

YOU ARE REQUIRED TO FOLLOW THESE INSTRUCTIONS

1. ALL PROVIDER APPOINTMENTS SCHEDULED BY THE MEDICAL SERVICES SECTION ARE DIRECTIVES. **DO NOT BE LATE. DO NOT CONTACT YOUR PROVIDER FOR A DIFFERENT DATE.**
2. ALL MEDICAL SERVICES SECTION APPOINTMENTS ARE DIRECTIVES.
3. FAILURE TO APPEAR ON THE APPOINTED DATE AND TIME MAY SUBJECT YOU TO MEDICAL ROLL DECERTIFICATION RESULTING IN A NO-PAY STATUS.
4. FAILURE TO AUTHORIZE THE RELEASE OF MEDICAL INFORMATION TO SUBSTANTIATE NECESSITY OF MEDICAL ROLL OR LIMITED DUTY STATUS MAY SUBJECT YOU TO DECERTIFICATION RESULTING IN A NO-PAY STATUS.

| | |
|-------------------------|---------------------|
| MEMBER'S NAME (Print) | MEMBER'S SIGNATURE |
| NURSE'S NAME (Print) | NURSE'S SIGNATURE |
| DATE <u>5-Dec 14</u> | TIME <u>1145</u> |

Progress Notes History for MICELI,Anthony

| Type | Details |
|---------------------|---|
| Medical Absence | 14-NOV-2014 - 07-JAN-2015 |
| Entered By | NEARY, DAWN M |
| Entered Date/Time | 05-DEC-2014 11:46 |
| Status Entered | Ambulatory |
| Case Manager | NEARY, DAWN M |
| Cause | Personal Injury / Non-Traffic |
| Contact Method | In-Person |
| MDA Exp RTD Date | 31-DEC-2014 |
| MDA Page Number | 474 |
| Extension Date/Time | 22-DEC-2014 11:00 |
| Body Parts | <ul style="list-style-type: none">• 57-LUMBAR SPINE AREA OR VERTEBRAE (LOWER BACK) |
| Malady | <ul style="list-style-type: none">• 799-PAIN <p>DR HAYES MEDICAL NOTE FOR THE OFFICER TO REMAIN OFF WORK D/T ACUTE FLARE UP OF LOW BACK PAIN IN FILE. S/P LUMBAR FUSION L4-S1 BY DR SALEHI: 14 FEB 2014. WILL BE RE-EVALUATED ON 19 DEC 2014/EXTENSION ISSUED / PO TRYING TO GET APP'T C HIS NEUROLOGIST FOR FOLLOW UP.</p> |
| Notes | |
| Category | Injured |
| Note No. | 709549 |

Progress Notes History for MICELI,Anthony

| Type | Notes |
|---------------------|---|
| Medical Absence | 14-NOV-2014 - 07-JAN-2015 |
| Entered By | PAWLAK, PATRICIA A |
| Entered Date/Time | 22-DEC-2014 10:55 |
| Status Entered | Ambulatory |
| Extension Date/Time | 23-DEC-2014 11:00 |
| Notes | member called stating his back was acting up and will be in tomorrow with md note |
| Note No. | 712003 |

Progress Notes History for MICELI,Anthony

| Type | Notes |
|--------------------------|---|
| Medical Absence | 14-NOV-2014 - 07-JAN-2015 |
| Entered By | RISLEY, THOMAS B |
| Entered Date/Time | 26-DEC-2014 13:10 |
| Extension Date/Time | 06-JAN-2015 13:00 |
| Next MD Appointment Date | 06-JAN-2015 |
| Notes | T/C from member states he is still on medical and was calling after he was unable to report for his f/u with MSS on 23 Dec 14 at 1100hrs. Member states he called on 23 Dec. 14 but doesn't recall who he spoke with and related that he did not receive a confirmation number. Member states he was in possession of a note from his pmnd but it was washed in his pants and was unreadable. After inquiring about having the doctor provide a copy or new note, the member related his doctor was on vacation and the office was closed. Member related the note indicated he would remain of work and be followed up in a couple of weeks. Today, member related his f/u is scheduled for 06 January 2015 at 1100hrs. Member advised to report to MSS after PMD appt. Member acknowledged. |
| Note No. | 712471 |

Progress Notes History for MICELI,Anthony

| Type | Notes |
|---------------------|--|
| Medical Absence | 14-NOV-2014 - 07-JAN-2015 |
| Entered By | NEARY, DAWN M |
| Entered Date/Time | 06-JAN-2015 13:41 |
| Extension Date/Time | 07-JAN-2015 14:00 |
| Notes | CALL PLACED TO DR HAYES OFFICE(773-777-0078) TO CLARIFY MEMBER'S APPT DATE & TIME C MD. SPOKE WITH CAROL AT OFFICE WHO STATED THAT THE OFFICER WAS SCHEDULED FOR 05 JAN 2015 HOWEVER "HE"(MEMBER)CONTACTED OFFICE AND RESCHEDULED THE APPT UNTIL TODAY 06 JAN 2015 AND THAT HE WAS ALREADY SEEN TODAY BY DR HAYES. |
| Note No. | MSS DATE ISSUED FOR FOLLOW UP. 713927 |

row(s) 1 - 1 of 1

Progress Notes History for MICELI,Anthony

| Type | Notes |
|-------------------|---|
| Medical Absence | - |
| Entered By | NEARY, DAWN M |
| Entered Date/Time | 07-JAN-2015 12:28 |
| Notes | Officer reported today w/Dr Hayes work note dated: 06 Jan 2015 in which it stated that he may rtd-Ld Non-Iod(his current status) on 08 Jan 2015. PO cleared effective: 08 Jan 2015-Ld Non-IOD. PO is aware that his Ld Non-IOD has expired and has app't c the neurologist on 22 Jan 2015 for review/ PO does have new Ld forms. CM did question PO regarding date on Dr Hayes prescription note of 06 Jan 2015 and PO report "I was in his office today, he must have written wrong date". |
| Note No. | 714189 |

DEA # BH1603605

RICHARD M. HAYES, MD

NPI # 1104924638

4801 W. PETERSON AVENUE, SUITE 600
CHICAGO, IL 60646

Phone: (773) 777-0078

Fax: (773) 777-0474

Name..... *Darlene Hayes*..... Age.....

Address.....

Date..... *1/8/15*.....

SECURITY FEATURES ON BACK

R



*No CDS medical;
Dr. Mueller may return
to "light duty" at OMC
Thursday, 1/8/15 without
restriction*

May Not Substitute

May Substitute

Refill _____ times PRN NR

NRX13050160846

RH M.D.

RICHARD M. HAYES, MD

NPI # 1104924638

4801 W. PETERSON AVENUE, SUITE 600
CHICAGO, IL 60646

Phone: (773) 777-0078

Fax: (773) 777-0474

Name.....*Anthony Mulli*.....Age.....

Address.....

Date.....*5/21/15*.....

SECURITY FEATURES ON BACK

R

To: CDO Medical Services
P.O. Mulli stopped by
on 1/7/15 for blood
test results

NRX13050160646

 May Not Substitute May Substitute

Refill____times PRN NR

A handwritten signature consisting of stylized initials and the letters "M.D." positioned above a horizontal line.

M.D.

IRREGULARITY REPORT

Auditing and Internal Control Division / Chicago Police Department

| | | | | | | | | | |
|--|-----------------|--------------------------|---|--|-------------|---|----------------------|----|---|
| Unit 376 | Beat / Veh. No. | Watch 3 rd | Location of Observation 3510 S. Michigan Ave./Medical Services Section | | | Date & Time of Report 18 November 2014 / 0815hrs | | | |
| Affected Member's Name 1. Miceli, Anthony J. | | | | | | Rank 1. P.O. | Star No. 1. 16220 | | |
| 2. | | | | | | 2. | 2. | | |
| Status | Up & Clear | Personal | Lunch | Location of Assignment, Personal, Lunch | | | Time Received | | |
| On Assignment of -Medical Roll | | | | | | | | | |
| Immediate Supervisor | | | | | | Rank | Star No. | | |
| Beat / Vehicle Number | | | | | | Interviewed | Yes | No | |
| Watch Operations Lieutenant | | | Rank Lt. | Star No. 380 | Interviewed | Yes | No | | |
| CHECK EACH IRREGULARITY OBSERVED (□) | | | | | | | | | |
| Slow response to an assignment | | | Lounging on duty | | | | | | |
| Failure to return to service promptly upon completion of an assignment | | | Sleeping on duty | | | | | | |
| Leaving assignment without authorization | | | Conducting personal business on duty, i.e., shopping | | | | | | |
| Improper radio status | | | Serving no useful police purpose | | | | | | |
| Failure to respond to an assignment | | | Out of district / area | | | | | | |
| Failure to properly perform assigned duties | | | Off beat / sector | | | | | | |
| Extended lunch period | | | Congregating | | | | | | |
| Extended personal or taking unauthorized personal | | | Possessing personal radio / TV | | | | | | |
| Supervisor's log not comply | | | Unprofessional conduct | | | | | | |
| No name tag / Unit designator / Star | | | Failure to issue BA citation | | | | | | |
| Wearing stocking cap / Hoodie | | | Goatee; Beard without medical excuse | | | | | | |
| Not wearing safety vest | | | No beat tag | | | | | | |
| Improper vest cover | | | Failure to wear seatbelts | | | | | | |
| | | | X | Other: 1. Violation of Medical Policy – E03-01-02, III-B: Failure to report in person to the MSS on the second day of medical absence or telephone of his inability to report. | | | | | X |

NARRATIVE:

On 14 November 2014, P.O. Anthony J. Miceli #16220 was placed on the medical roll for a non-duty related sickness. While managing medical roll use of P.O. Anthony J. Miceli #16220, it was discovered that he failed to report in person on his second day of medical absence or telephoned his inability to report as required.

Ref: Employee Resource E03-01-02, Sworn Medical Roll-Non Injury on Duty Status, Section III-B

| | |
|-----------------------|---------------------|
| Inspector's Signature | Star # |
| Date & Time of Report | Assigned Duty Hours |

IRREGULARITY REPORT

Auditing and Internal Control Division / Chicago Police Department

| | | | | | | | | |
|--|-----------------|--------------------------|---|--|-------------|---|----------------------|----|
| Unit 376 | Beat / Veh. No. | Watch 3 rd | Location of Observation 3510 S. Michigan Ave./Medical Services Section | | | Date & Time of Report 29 December 2014 / 1115hrs | | |
| Affected Member's Name 1. Miceli, Anthony J. | | | | | | Rank 1. P.O. | Star No. 1. 16220 | |
| 2. | | | | | | 2. | 2. | |
| Status On Assignment of -Medical Roll | Up & Clear | Personal | Lunch | Location of Assignment, Personal, Lunch | | | Time Received | |
| Immediate Supervisor | | | | | | Rank | Star No. | |
| Beat / Vehicle Number | | | | | | Interviewed | Yes | No |
| Watch Operations Lieutenant Ronald D. Forgue | | | Rank Lt. | Star No. 380 | Interviewed | Yes | No | |
| CHECK EACH IRREGULARITY OBSERVED (□) | | | | | | | | |
| Slow response to an assignment | | | Lounging on duty | | | | | |
| Failure to return to service promptly upon completion of an assignment | | | Sleeping on duty | | | | | |
| Leaving assignment without authorization | | | Conducting personal business on duty, i.e., shopping | | | | | |
| Improper radio status | | | Serving no useful police purpose | | | | | |
| Failure to respond to an assignment | | | Out of district / area | | | | | |
| Failure to properly perform assigned duties | | | Off beat / sector | | | | | |
| Extended lunch period | | | Congregating | | | | | |
| Extended personal or taking unauthorized personal | | | Possessing personal radio / TV | | | | | |
| Supervisor's log not comply | | | Unprofessional conduct | | | | | |
| No name tag / Unit designator / Star | | | Failure to issue BA citation | | | | | |
| Wearing stocking cap / Hoodie | | | Goatee; Beard without medical excuse | | | | | |
| Not wearing safety vest | | | No beat tag | | | | | |
| Improper vest cover | | | Failure to wear seatbelts | | | | | |
| | | | X | Other: 1. Violation of Medical Policy – E03-01-02, II-C: Failure to report to the Medical Services Section. | | | | X |

NARRATIVE:

On 14 November 2014, P.O. Anthony J. Miceli #16220 was placed on the medical roll for a non-duty related sickness. While managing medical roll use of P.O. Anthony J. Miceli #16220, it was discovered that he failed to report to a scheduled Medical Services Section-MSS appointment on 23 December 2014 at 1100hrs as required. P.O. Anthony J. Miceli #16220 verbally acknowledged by telephone his duty to report to the Medical Services Section on 23 December 2014 at 1100hrs.

Ref: Employee Resource E03-01-02, Sworn Medical Roll – Non Injury on Duty Status. Section II-C

| | |
|-----------------------|---------------------|
| Inspector's Signature | Star # |
| Date & Time of Report | Assigned Duty Hours |

**SWORN MEDICAL ROLL - NON INJURY ON DUTY STATUS**

| | | | |
|-----------------|-------------------------------|-----------------|--------------|
| | | | |
| ISSUE DATE: | 29 June 2000 | EFFECTIVE DATE: | 30 June 2000 |
| RESCINDS: | G98-02-02A | | |
| INDEX CATEGORY: | Medical, Health, and Wellness | | |

I. PURPOSE

This directive outlines Department policy and defines procedures for a sworn member to be placed on the medical roll non injury on duty status.

II. GENERAL INFORMATION**A. Illness While on Duty**

A member excused by the watch commander due to illness while on duty will not be placed on the medical roll for that day. The excused member will comply with the provisions outlined in [stationary recuperation](#). Members who are unable to report for duty on their next scheduled work day will follow the procedures outlined in Item III of this addendum.

B. Illness or Injury While on Suspension or Furlough

Members who become ill or injured while on suspension or furlough and are unable to return to duty after the expiration of the suspension or furlough period will follow the procedures outlined in Item III of this addendum.

C. Reporting to the Medical Services Section

A member will report to the Medical Services Section or other medical service provider as directed. Department members are responsible for the timely submission of all medical records.

NOTE: Any member who fails to report as scheduled to the Medical Services Section or submit medical documentation will have their [medical certification](#) withheld.

D. Medical Roll

A member absent from duty because of illness or injury sustained off duty will be carried on the medical roll.

E. Timekeeping

A member will be carried as ill or injured for the full period of the member's absence including regular days off and holidays.

F. Permission to Leave the State

A member wishing to leave the state while on the medical roll will submit a TO-FROM-SUBJECT report to the Medical Administrator. A member will not leave the state without the written approval of the Medical Administrator. A member requesting permission to leave the state for a period greater than fifteen days must also obtain the written approval of the Deputy Superintendent, Bureau of Administrative Services.

G. Special Apparel or Equipment

A member will obtain the written approval of the Medical Administrator before wearing special apparel or equipment for medical reasons while on duty. The apparel or equipment must be prescribed in writing by the member's treating physician.

H. Court or Other Governmental Hearings

A member unable to report at a scheduled court, grand jury proceedings or other governmental hearing because of an injury or illness will:

1. notify a supervisor in the district/unit of assignment twenty-four hours in advance when feasible, or
2. when not feasible, notify a supervisor in the district/unit of assignment at least one hour before the scheduled appearance, to allow for the notification of another member to appear.

NOTE: An officer on the medical roll will be granted overtime for an appearance in court or other governmental hearing only when the appearance exceeds 8 hours.

I. Pregnancy and Postpartum Period

Pregnancy will be governed by medical roll procedures. Should a member seek to request an accommodation as the result of pregnancy, the member will notify the Medical Services Section and submit a written verification from her attending physician.

NOTE: Accommodation requests will be processed in accordance with the Department directive entitled "**City of Chicago Reasonable Accommodations Policy**" to ensure compliance with the Illinois Human Rights Act (775 ILCS 5/2-102)."

J. Sutures

Members who receive sutures **must** report to the Medical Services Section **with** a doctor's statement relative to fitness for duty. Department members will not be automatically placed upon the medical roll due to sutures.

K. Legal Action for an off duty injury

A member will prepare and submit a Notification of Legal Action to Recover Damages (CPD-62.388) to the Medical Services Section within 72 hours of:

1. taking legal action to recover damages.
2. negotiating for a settlement of a damage claim.
3. being contacted by an insurance company or any other interested party.

III. RESPONSIBILITIES OF A SWORN MEMBER

A sworn member will:

A. when requesting placement on the medical roll:

1. notify a supervisor in the district/unit of assignment or detail at least one hour prior to the member's scheduled reporting time; in units not staffed until the member's reporting time, within fifteen minutes after the scheduled reporting time. The member will give the reason for the absence and any other information requested by the supervisor.

2. be placed initially in either the Stationary Recuperation or Hospital Recuperation category.

NOTE: Only Medical Services Section personnel may change a member's status to Ambulatory Recuperation after a medical review at the Medical Services Section. The Medical Services Section will not automatically change a member's recuperation status to ambulatory because of a medical review at the Medical Services Section.

3. comply with all provisions relative to the appropriate assigned recuperation category.
- B. report in person to the Medical Services Section for a fitness for duty evaluation on the second day of medical absence.

NOTE: A member who is unable to report (as outlined above) in person due to illness/injury, will telephone the Medical Services Section. The member will report as soon as the member is physically able to do so. The member reporting to the Medical Services Section may be required to bring an attending physician's written statement documenting the diagnosis, treatment plan, and projected return to duty or recovery date.

- C. personally provide any information requested and sign the Medical Absence Report (CPD-62.402).
- D. obtain a Medical Services Section/Return to Duty Notice from the Medical Services Section. Department members will notify their unit of assignment or detail before leaving the Medical Services Section. The member making the notification will enter the time, name, and star number of the unit member notified on the member's copy of the Medical Services Section/Return to Duty Notice. Upon reporting for duty, the member's copy of the Medical Services Section/Return to Duty Notice will be submitted to the watch commander/unit commanding officer as proof of release.

IV. SUPERVISOR'S RESPONSIBILITIES

- A. A supervisor receiving a report of a medical absence due to an off duty illness or injury will ensure that:
1. the Supervisor's Report of Medical Absence (CPD-62.401) is completed in triplicate.
 2. the reason for the absence is stated in the box entitled, "Nature of the Sickness or Injury."
 3. the Supervisor's Report of Medical Absence is submitted to the district/unit watch commander for review and signature.
 4. a corrected Supervisor's Report of Medical Absence is completed if an error was discovered in the original. The corrected report will be marked with the item that was in error circled in red.
- B. The district/unit watch commander will ensure that:
1. the Supervisor's Report of Medical Absence is faxed to the Medical Services Section.
 2. the original Supervisor's Report of Medical Absence is sent to the Medical Services Section via Department mail.
 3. a copy of the Supervisor's Report of Medical Absence is forwarded to the district/unit timekeeper.
 4. a copy of the Supervisor's Report of Medical Absence is retained by the watch commander/unit commanding officer.
 5. notifications are made when the sick or injured member is unable to appear in court or other assignment/detail.
 6. the member's district of recuperation is contacted as warranted to conduct a home visit in accordance with the provisions of this directive.

7. a Complaint Register number or Summary Punishment procedures are initiated against a member if the district of residence supervisor reports inability to make contact.
8. the member's copy of the Medical Services Section/Return to Duty Notice is obtained and forwarded to the district/unit timekeeper.

V. MEDICAL SERVICES SECTION RESPONSIBILITIES

Medical Services Section personnel will:

- A. forward the Unit Copy of the Medical Services Section/Return To Duty Notice to the respective member's unit of assignment via Department mail.
- B. notify the member's unit of assignment upon granting a member on the medical roll permission to leave the state

VI. DISTRICT OF RESIDENCE PROCEDURES

- A. The watch commander in the district of residence will assign a supervisor to conduct a home visit when requested. The watch commander will ensure Part I of the Medical Absence Follow-up Report (CPD-62.402) is completed.
- B. A supervisor assigned to conduct a home visit will:
 1. visit the Department member between the hours of 0800 and 2100 hours.
 2. if the member is absent from home with the permission of the district/unit of assignment/detail, make another visit during the supervisor's tour of duty.
 3. obtain the signature of the member on the Medical Absence Follow-up Report; if the member is unable or unwilling to sign the form, indicate this in the appropriate location.
 4. contact the member's residence by telephone when it appears the member is absent from his residence without permission or the supervisor is unable to make any contact with a resident of the home. If still no response, the time will be entered on the Medical Absence Follow-up Report and forward to the member's requesting watch commander. The supervisor will also phone the watch commander requesting the home visit and inform the watch commander of the unauthorized absence.
 5. complete the Medical Absence Follow-up Report and forward it to the watch commander requesting the home visit.

Authenticated by:

Terry G. Hillard
Superintendent of Police

99-029 ZMM(PMD)

GLOSSARY TERMS:

1. Stationary Recuperation

A member recuperating from an injury or illness that may be remedied by short term rest and/or medication will remain in his residence. The member may leave his residence for a reasonable period of time to acquire medical services or products, obtain food, vote, attend religious services or attend to an emergency situation. When leaving his residence, the **member is required to notify** an on-duty

supervisor in his unit of assignment or detail and provide them with the information required to complete the Sickness Report/Absence from Home Log (CPD-62.409). In the event the unit of assignment or detail is not staffed at the time of the required notification, the notification will be made to Operations Command.

2. Medical Certification

A finding by the Medical Services Section that use of the medical roll is appropriate as a result of an illness/injury and the member is in compliance with applicable rules and directions.

3. Hospital Recuperation

A member who is recuperating in a hospital as the result of their illness/injuries.

4. Ambulatory Recuperation

Allows a member who is recuperating from an illness or injury to leave their residence without notifying their unit of assignment or detail. A member assigned to this category will be given appointment dates for review of their illness or injury.

INVESTIGATIONS DIVISION
General Investigations Section

26 February 2015
Log No.:1073277

1 This is the statement of Reporting Party Witness Sgt. Thomas RISLEY #2585 relative to
2 the below listed allegations that occurred on 23 December 2014 and 06 January 2015 at
3 3510 S Michigan (Medical Services Section), Chicago, IL 60653:

5 Allegations: 1). On 23 December 2014 at 1100 hours it is alleged that the
6 Accused Police Officer Anthony MICELI #16220 failed to follow
7 medical roll procedures in that MICELI failed to appear for a
8 scheduled appointment as directed by the Medical Services
9 Section.

11 2). On 06 January 2015 at 1300 hours it is alleged that the
12 Accused Police Officer Anthony MICELI #16220 failed to follow
13 medical roll procedures in that MICELI failed to appear for a
14 scheduled appointment as directed by the Medical Services
15 Section.

17 3). On 06 January 2015 at 1300 hours it is alleged that the
18 Accused Police Officer Anthony MICELI #16220 failed to follow
19 medical roll procedures in that MICELI provided inaccurate
20 statements regarding the date of his doctor's appointment.

22 Statement is being taken at the Bureau of Internal Affairs, Investigations Division, 3510
23 S. Michigan Avenue, Chicago, Illinois in Interview Room #1.

25 Questioned &
26 Typed by: SGT. Nakia FENNER #2306, Unit 121

28 Date, Time: 26 February 2015 at 1230 hours

30 SGT. FENNER: Are you accompanied by counsel/representative of your choosing,
31 and if so, identify him for the record?

32 SGT. RISLEY: No

34
35 SGT. FENNER: Are you prepared to give your statement without the legal
36 representation of counsel?

37 SGT. RISLEY Yes

39
40 SGT FENNER: "Rule 14" of the Chicago Police Department's Rules and
41 Regulations prohibits making false reports, whether written

40 SGT FENNER: "Rule 14" of the Chicago Police Department's Rules and
41 Regulations prohibits making false reports, whether written or oral.
42 You may be separated from the Chicago Police Department if you
43 make a false report. Do you understand?

45 SGT. RISLEY: Yes

Initials: SJG JMF

Page 1 of 8

Attachment No.: _____

INVESTIGATIONS DIVISION
General Investigations Section

26 February 2015
Log No.:1073277

- 47 SGT. FENNER: Do you understand that at the completion of this typed interview,
48 this statement will become an official Chicago Police Department
49 report and that any deviation from the truth could result in
50 allegations or charges being placed against you?
- 51
- 52 SGT. RISLEY: Yes
- 53
- 54 SGT. FENNER: At the conclusion of this interview, I will print out this statement
55 for your review. The purpose of the review is to provide you the
56 opportunity to ensure that the questions and answers are correct. I
57 will also ask you to initial each page and provide you with a copy
58 of this interview. Is this understood?
- 59
- 60 SGT. RISLEY: Yes
- 61
- 62 SGT. FENNER: Please be aware that a Sworn Affidavit is not required for this case.
63 Are you ready to give your statement at this time?
- 64
- 65 SGT. RISLEY: I want to preface this statement by saying that I am not giving this
66 statement voluntarily, but under duress. I am only giving this
67 statement because I have been advised both orally and in writing
68 that I must give this statement or I will be fired from my job if I
69 refuse.
- 70
- 71 SGT. FENNER: What are your full name, rank, star number and unit of
72 assignment?
- 73
- 74 SGT. RISLEY: Thomas Bryan Risley, Sergeant, #2585, Human Resources - Unit
75 123
- 76
- 77 SGT. FENNER: What is your date of birth and Employee Number?
- 78
- 79 SGT. RISLEY: [REDACTED], Employee # [REDACTED]
- 80
- 81 SGT. FENNER: What is your date of appointment to the Department?
- 82
- 83 SGT. RISLEY: 14 February 1989
- 84
- 85 SGT. FENNER: How long have you been assigned to your present unit?
- 86
- 87 SGT. RISLEY: 10 months
- 88
- 89 SGT. FENNER: What was your duty status and hours of assignment on 23
90 December 2014?
- 91

Initials: TBR

INVESTIGATIONS DIVISION
General Investigations Section

26 February 2015
Log No.:1073277

- 92 SGT. RISLEY: Cannot confirm my duty status for that day. I'm assigned as the
93 Administrative Sergeant of the Medical Services Section.
94
- 95 SGT. FENNER: According to your Initiation Report, the accused Police Officer
96 MICELI failed to appear for his scheduled Medical Services Section
97 appointment on 23 December 2014 at 1100 hours. Is this
98 information correct?
99
- 100 SGT. RISLEY: Yes
101
- 102 SGT. FENNER: Did the accused MICELI notify the Medical Services Section prior
103 to his scheduled appointment that he was unable to appear for the
104 appointment?
105
- 106 SGT. RISLEY: According to my progress note entered on 26 December 2014,
107 MICELI was asked whom did he speak with and whether or not he
108 obtained a confirmation number for 23 December. He stated that
109 he could not recall who he spoke with and that he did not receive a
110 confirmation number.
111
- 112 SGT. FENNER: As a result of missing the previously scheduled appointment, was
113 MICELI disciplined in any manner?
114
- 115 SGT. RISLEY: I can't recall.
116
- 117 SGT. FENNER: What supervisory actions were taken as a result of MICELI missing
118 the previously scheduled appointment?
119
- 120 SGT. RISLEY: I can't recall. I don't believe any disciplinary action was taken at
121 this point.
122
- 123 SGT. FENNER: After MICELI failed to appear for the scheduled appointment, was
124 MICELI contacted by the Medical Services Section to determine the
125 reason for the missed appointment?
126
- 127 SGT. RISLEY: I have to say that I do not recall.
128
- 129 SGT. FENNER: What was your duty status and hours of assignment on 26
130 December 2014?
131
- 132 SGT. RISLEY: I believe that I was assigned as the Administrative Sergeant of the
133 Medical Services Section.
134
- 135 SGT. FENNER: According to your Initiation Report, MICELI contacted the Medical
136 Services Section on 26 December 2014 to notify MSS that he was
137 unable to report for his appointment on 23 December 2014 and

Initials: TPN AMF

INVESTIGATIONS DIVISION
General Investigations Section

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- 138 MICELI was notified to report to the MSS on 06 January 2015 at
139 1300 hours. Is this information correct?
- 140
- 141 SGT. RISLEY: I spoke with MICELI on 26 December 2014. During our
142 conversation I directed him to report to the Medical Services
143 Section on 06 January 2015 based upon information received by
144 him.
- 145
- 146 SGT. FENNER: What reason did MICELI give for failing to appear for the
147 appointment on 23 December 2014?
- 148
- 149 SGT. RISLEY: MICELI told me that the doctor's note he had was left in his pants
150 and washed which left the note unreadable.
- 151
- 152 SGT. FENNER: Did you determine the reason that MICELI had given to be valid and
153 accurate?
- 154
- 155 SGT. RISLEY: I couldn't verify whether or not he had washed the note in his
156 pants.
- 157
- 158 SGT. FENNER: What instructions were MICELI given when he telephoned the
159 Medical Services Section?
- 160
- 161 SGT. RISLEY: MICELI was directed to report to the Medical Services Section
162 following a doctor's appointment that he had on 06 January 2015 at
163 1100 hours.
- 164
- 165 SGT. FENNER: What was your duty status and hours of assignment on 06 January
166 2015?
- 167
- 168 SGT. RISLEY: I believe again that I was assigned as the Administrative Sergeant
169 of the Medical Services Section.
- 170
- 171 SGT. FENNER: According to your Initiation Report, MICELI contacted the Medical
172 Services Section on 06 January 2015 at 1259 hours to notify MSS
173 that he was unable to report for his appointment on 06 January 2015
174 at 1300 hours and MICELI was notified to report to the MSS on 07
175 January 2015 at 1400 hours. Is this information correct?
- 176
- 177 SGT. RISLEY: Referring to the progress notes, MICELI indicated that he would
178 report to the Medical Services Section following his doctor's
179 appointment which was scheduled on 07 January 2015 at 1030
180 hours.
- 181
- 182 SGT. FENNER: Did you personally speak with MICELI?
- 183

Initials: 

INVESTIGATIONS DIVISION
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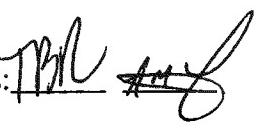
- 184 SGT. RISLEY: I don't believe that I did.
- 185
- 186 SGT. FENNER: With whom did MICELI speak?
- 187
- 188 SGT. RISLEY: Civilian call-taker [REDACTED].
- 189
- 190 SGT. FENNER: What reason did MICELI give for failing to appear for the appointment?
- 191
- 192
- 193 SGT. RISLEY: He claimed that his doctor's appointment had been changed from 06 January 2015 to 07 January 2015 at 1030 hours.
- 194
- 195
- 196 SGT. FENNER: Did you determine the reason that MICELI had given to be valid and accurate?
- 197
- 198
- 199 SGT. RISLEY: Personally, I did not. I directed MICELI case manager to attempt to verify that information.
- 200
- 201
- 202 SGT. FENNER: Who was MICELI'S case manager?
- 203
- 204 SGT. RISLEY: Officer Dawn Neary
- 205
- 206 SGT. FENNER: What did Officer Neary determine?
- 207
- 208 SGT. RISLEY: Officer Neary contacted MICELI'S doctor's office. She was able to verify that MICELI'S original medical appointment was scheduled for 05 January 2015. He rescheduled the appointment for 06 January 2015 and that he had already been seen by his doctor. This inquiry was made on 06 January 2015 at approximately 1341 hours.
- 209
- 210
- 211
- 212
- 213
- 214
- 215 SGT. FENNER: Were their any other instructions given to MICELI when he telephoned the Medical Services Section on 06 January 2015?
- 216
- 217
- 218 SGT. RISLEY: Not to my knowledge.
- 219
- 220 SGT. FENNER: Did you give MICELI a direct order to report to the Medical Services Section on 06 January 2015?
- 221
- 222
- 223 SGT. RISLEY: It was not a direct order. I simply told MICELI to report to the Medical Services Section at 1300 hours on 06 January 2015 following the doctor's appointment that he claimed was on 06 January 2015 at 1100 hours.
- 224
- 225
- 226
- 227
- 228 SGT. FENNER: Why did you not give MICELI a direct order to report on 06 January 2015?
- 229

Initials: 

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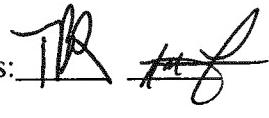
- 230
231 SGT. RISLEY: I did not feel that it was warranted.
232
233 SGT. FENNER: As a result of missing the previously scheduled appointment on 06
234 January 2015, was MICELI disciplined in any manner?
235
236 SGT. RISLEY: At this point, not to my knowledge.
237
238 SGT. FENNER: What was your duty status and hours of assignment on 07 January
239 2015?
240
241 SGT. RISLEY: I believe that I was assigned as the Administrative Sergeant of the
242 Medical Services Section.
243
244 SGT. FENNER: According to the Initiation Report, MICELI indicated that he had a
245 doctor's appointment on 07 January 2015 at 1030 hours. Did
246 MICELI appear at the Medical Services Section on 07 January
247 2015?
248
249 SGT. RISLEY: Yes he did.
250
251 SGT. FENNER: After MICELI reported to the Medical Services Section, did you
252 personally speak with MICELI about his previously missed
253 appointments?
254
255 SGT. RISLEY: I don't believe that I did.
256
257 SGT. FENNER: Upon reporting to the Medical Services Section, did MICELI
258 provide a doctor's statement indicating the date and time of his last
259 doctor's appointment?
260
261 SGT. RISLEY: According to my initiation report, he did.
262
263 SGT. FENNER: What date and time was indicated?
264
265 SGT. RISLEY: Again referring to my initiation report, the date was 06 January
266 2015. No time was indicated on the doctor's note.
267
268 SGT. FENNER: Did you question MICELI about the date of his doctor's
269 appointment?
270
271 SGT. RISLEY: I did not. According to my initiation report, his case manager
272 Dawn Neary did inquiry about the discrepancy.
273
274
275

Initials: 

INVESTIGATIONS DIVISION
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- 276 SGT. FENNER: What was MICELI's response regarding the discrepancy with the
277 date recorded on his doctor's statement and the revised date that he
278 stated to the Medical Services Section during the telephone
279 conversation on 06 January 2015?
- 280
- 281 SGT. RISLEY: According to my initiation report and my review of the progress
282 notes, MICELI informed his case manager Dawn Neary that he
283 was actually in the doctor's office today, 07 January 2015, and
284 MICELI claimed that the doctor's office must have written the
285 wrong date.
- 286
- 287 SGT. FENNER: Does MICELI have a history or pattern of missing appointments
288 without notification?
- 289
- 290 SGT. RISLEY: I have some knowledge of that.
- 291
- 292 SGT. FENNER: Does MICELI have a history or pattern of delaying appointments for
293 various reasons?
- 294
- 295 SGT. RISLEY: He does have a history of missing appointments with the medical
296 section.
- 297
- 298 SGT. FENNER: What is your knowledge of his history or pattern?
- 299
- 300 SGT. RISLEY: I believe MICELI has been the subject of at least 4 irregularity
301 reports regarding missed appointments at the Medical Services
302 Section.
- 303
- 304 SGT. FENNER: Can you recall the dates of those missed appointments or irregularity
305 reports?
- 306
- 307 SGT. RISLEY: No I can't but I can verify if it is required at a later date.
- 308
- 309 SGT. FENNER: Can you provide copies of those irregularity reports and any other
310 documentation for this investigation?
- 311
- 312 SGT. RISLEY: Yes, absolutely.
- 313
- 314 SGT. FENNER: **Is there anything relative to this incident that you wish to add
315 to this statement?**
- 316
- 317 SGT. RISLEY: No
- 318
- 319 SGT. FENNER: Is everything that you told me in this statement the truth to the best
320 of your knowledge?
- 321

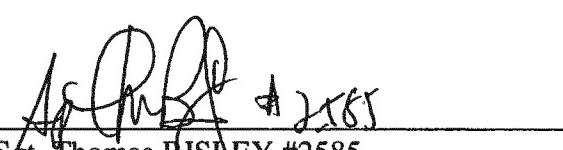
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General Investigations Section

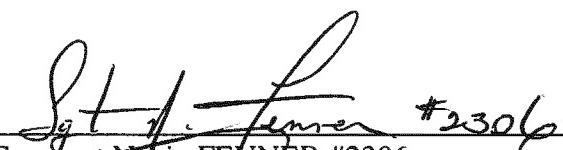
26 February 2015
Log No.:1073277

- 322 SGT. RISLEY: Yes
323
324 SGT. FENNER: After reading this statement consisting of 8 pages and finding it
325 contains the responses you have given to the questions asked, will
326 you sign it?
327
328 SGT. RISLEY: Yes
329
330 SGT. FENNER: Statement concluded at 1325 hours.
331
332
333

SIGNATURE PAGE ONLY


Sgt. Thomas RISLEY #2585

123 - Unit of Assignment


Sergeant Nakia FENNER #2306

Investigations Division
General Investigations Section

Initials: _____

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Attachment No.: _____

INVESTIGATIONS DIVISION
General Investigations Section

09 March 2015
Log No.:1073277

1 This is the statement of Accused Police Officer Anthony MICELI #16220 relative to the
2 below listed allegations that occurred on 23 December 2014 and 06 January 2015 at 3510
3 S Michigan (Medical Services Section), Chicago, IL 60653:

- 4
- 5 Allegations: 1). On 23 December 2014 at 1100 hours it is alleged that the
6 Accused Police Officer Anthony MICELI #16220 failed to follow
7 medical roll procedures in that MICELI failed to appear for a
8 scheduled appointment as directed by the Medical Services
9 Section.
- 10
- 11 2). On 06 January 2015 at 1300 hours it is alleged that the
12 Accused Police Officer Anthony MICELI #16220 failed to follow
13 medical roll procedures in that MICELI failed to appear for a
14 scheduled appointment as directed by the Medical Services
15 Section.
- 16
- 17 3). On 06 January 2015 at 1300 hours it is alleged that the
18 Accused Police Officer Anthony MICELI #16220 failed to follow
19 medical roll procedures in that MICELI provided inaccurate
20 statements regarding the date of his doctor's appointment.

21

22 Statement is being taken at the Bureau of Internal Affairs, Investigations Division, 3510
23 S. Michigan Avenue, Chicago, Illinois in Interview Room #1.

- 24
- 25 Questioned & SGT. Nakia FENNER #2306, Unit 121
26 Typed by:
- 27
- 28 Date, Time: 09 March 2015 at 1508 hours
- 29
- 30 SGT. FENNER: Are you accompanied by counsel/representative of your choosing,
31 and if so, identify him for the record?
- 32
- 33 P.O. MICELI: Yes, Erik Borczon
- 34
- 35 SGT. FENNER: "Rule 14" of the Chicago Police Department's Rules and
36 Regulations prohibits making false reports, whether written or oral.
37 You may be separated from the Chicago Police Department if you
38 make a false report. Do you understand?
- 39
- 40 P.O. MICELI: Yes
- 41
- 42 SGT. FENNER: Do you understand that at the completion of this typed interview,
43 this statement will become an official Chicago Police Department
44 report and that any deviation from the truth could result in
45 allegations or charges being placed against you?
- 46

Initials: AM 1NF

INVESTIGATIONS DIVISION
General Investigations Section

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- 47 P.O. MICELI: Yes
- 48
- 49 SGT. FENNER: At the conclusion of this interview, I will print out this statement
50 for your review. The purpose of the review is to provide you the
51 opportunity to ensure that the questions and answers are correct. I
52 will also ask you to initial each page and provide you with a copy
53 of this interview. Is this understood?
- 54
- 55 P.O. MICELI: Yes
- 56
- 57 SGT. FENNER: Please be aware that a Sworn Affidavit is not required for this case.
58 Are you ready to give your statement at this time?
- 59
- 60 P.O. MICELI: Yes, however this statement is not being given voluntarily, but
61 under duress. I am only giving this statement because I know that
62 I will lose my job if I refuse the direct order being given to me.
- 63
- 64 SGT. FENNER: What are your full name, rank, star number and unit of
65 assignment?
- 66
- 67 P.O. MICELI: Anthony Joseph Miceli, Police Officer, #16220, Detailed Unit 376
- 68
- 69 SGT. FENNER: What is your date of birth and Employee Number?
- 70
- 71 P.O. MICELI: [REDACTED], Employee # [REDACTED]
- 72
- 73 SGT. FENNER: What is your date of appointment to the Department?
- 74
- 75 P.O. MICELI: 24 November 2003
- 76
- 77 SGT. FENNER: How long have you been assigned to your present unit?
- 78
- 79 P.O. MICELI: Approximately over 1 year.
- 80
- 81 SGT. FENNER: Were you on the medical roll beginning 14 November 2014 and
82 ending 07 January 2015?
- 83
- 84 P.O. MICELI: I believe so.
- 85
- 86 SGT. FENNER: What was your medical reason for requesting to be placed on the
87 medical?
- 88
- 89 P.O. MICELI: Recurrence of back pain from surgery and autoimmune illness.
- 90
- 91 SGT. FENNER: Who was your case manager?
- 92

Initials: JM JL

INVESTIGATIONS DIVISION
General Investigations Section

09 March 2015
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- 93 P.O. MICELI: My nurse is Dawn Neary.
94
95 SGT. FENNER: What was your duty status and hours of assignment on 23
96 December 2014?
97
98 P.O. MICELI: I was on the medical.
99
100 SGT. FENNER: Did you have a Medical Services Section appointment scheduled for
101 23 December 2014 at 1100 hours?
102
103 P.O. MICELI: I don't recall.
104
105 SGT. FENNER: Did you appear for your scheduled Medical Services Section
106 appointment on 23 December 2014 at 1100 hours?
107
108 P.O. MICELI: I don't recall.
109
110 SGT. FENNER: Did you notify the Medical Services Section prior to your scheduled
111 appointment that you were unable to appear for the appointment?
112
113 P.O. MICELI: If I missed then yes I did call.
114
115 SGT. FENNER: What date and time did you notify the Medical Services Section?
116
117 P.O. MICELI: It would have been on the day of the appointment but I don't recall
118 what time.
119
120 SGT. FENNER: Who did you speak with and what is your confirmation number?
121
122 P.O. MICELI: I don't recall but who ever answered the phone at the front desk.
123
124 SGT. FENNER: Why did you not appear for your scheduled appointment on 23
125 December 2014 at 1100 hours?
126
127 P.O. MICELI: I was too sick and unable to make it.
128
129 SGT. FENNER: What instructions were you given when you telephoned the Medical
130 Services Section on 23 December 2014?
131
132 P.O. MICELI: The person that I talk to at the Medical Section stated that I if I was
133 too sick or unable to come down to the Medical Section to call
134 again for an extension or later date.
135
136 SGT. FENNER: After speaking with the Medical Services Section, what next
137 appointment date and time were you given?
138

Initials: AM 144

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Attachment No.: _____

INVESTIGATIONS DIVISION
General Investigations Section

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- 139 P.O. MICELI: I don't recall.
- 140
- 141 SGT. FENNER: What was your duty status and hours of assignment on 26 December 2014?
- 142
- 143
- 144 P.O. MICELI: I believe that I was on the medical.
- 145
- 146 SGT. FENNER: Did you contact the Medical Services Section on 26 December 2014 to notify the Medical Services Section that you were unable to report for your appointment on 23 December 2014?
- 147
- 148
- 149
- 150 P.O. MICELI: I don't recall which day that I called them but I just know that I called them each day that I couldn't make an appointment.
- 151
- 152
- 153 SGT. FENNER: After speaking with the Medical Services Section staff on 26 December 2014, did you receive another appointment from the Medical Services Section personnel? If so, what appointment date and time were you given?
- 154
- 155
- 156
- 157
- 158 P.O. MICELI: I don't recall.
- 159
- 160 SGT. FENNER: Who did you speak with and what is your confirmation number?
- 161
- 162 P.O. MICELI: I don't recall but I spoke to someone at the front desk of the Medical Section.
- 163
- 164
- 165 SGT. FENNER: What instructions were you given when you telephoned the Medical Services Section on 26 December 2014?
- 166
- 167
- 168 P.O. MICELI: I don't recall.
- 169
- 170 SGT. FENNER: What was your duty status and hours of assignment on 06 January 2015?
- 171
- 172
- 173 P.O. MICELI: I believe that I was on the medical. I believe that I cleared the next day.
- 174
- 175
- 176 SGT. FENNER: Did you have a Medical Services Section appointment scheduled for 06 January 2015 at 1300 hours?
- 177
- 178
- 179 P.O. MICELI: I don't recall.
- 180
- 181 SGT. FENNER: Did you appear for your scheduled Medical Services Section appointment on 06 January 2015 at 1300 hours?
- 182
- 183
- 184 P.O. MICELI: I don't recall.

Initials: JM AS

INVESTIGATIONS DIVISION
General Investigations Section

09 March 2015
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- 185
186 SGT. FENNER: Did you notify the Medical Services Section prior to your scheduled
187 appointment that you were unable to appear for the appointment?
188
189 P.O. MICELI: I believe that I notified them each time that I couldn't appear.
190
191 SGT. FENNER: What date and time did you notify the Medical Services Section?
192
193 P.O. MICELI: I don't recall.
194
195 SGT. FENNER: Who did you speak with and what is your confirmation number?
196
197 P.O. MICELI: I don't recall but someone at the front desk at the Medical Services
198 Section.
199
200 SGT. FENNER: Why did you not appear for your scheduled appointment on 06
201 January 2015 at 1300 hours?
202
203 P.O. MICELI: I was too sick and unable to show up.
204
205 SGT. FENNER: After speaking with the Medical Services Section staff on 06 January
206 2015, did you receive another appointment from the Medical
207 Services Section personnel? If so, what appointment date and time
208 were you given?
209
210 P.O. MICELI: I don't recall.
211
212 SGT. FENNER: What instructions were you given when you telephoned the
213 Medical Services Section on 06 January 2015?
214
215 P.O. MICELI: That if I was unable to come down or too sick, then to telephone
216 them for another appointment.
217
218 SGT. FENNER: What was your duty status and hours of assignment on 07 January
219 2015?
220
221 P.O. MICELI: I don't recall.
222
223 SGT. FENNER: Did you appear at the Medical Services Section on 07 January
224 2015? If so, what time did you appear?
225
226 P.O. MICELI: I don't recall.
227
228 SGT. FENNER: Did you meet with your case manager P.O. Dawn Neary?
229
230 P.O. MICELI: If I was at the medical section, then most likely I did.

Initials: AM taf

INVESTIGATIONS DIVISION
General Investigations Section

09 March 2015
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- 231
232 SGT. FENNER: Was anyone else present during your meeting with P.O. Neary?
233
234 P.O. MICELI: No.
235
236 SGT. FENNER: Was Sgt. Risley present during your meeting with P.O. Neary?
237
238 P.O. MICELI: No.
239
240 SGT. FENNER: Upon meeting with P.O. Neary, did you provide a doctor's statement indicating the date and time of your last doctor's appointment?
241
242 P.O. MICELI: I believe so.
243
244 SGT. FENNER: What date and time was indicated?
245
246 P.O. MICELI: I don't recall.
247
248 SGT. FENNER: Were you seen and/or treated by your doctor on 06 January 2015?
249
250 P.O. MICELI: I don't recall.
251
252 SGT. FENNER: Were you seen and/or treated by your doctor on 07 January 2015?
253
254 P.O. MICELI: I don't recall.
255
256 SGT. FENNER: What were the dates and times of all your doctor's appointments in regard to this medical absence?
257
258 P.O. MICELI: I don't recall at this time. I will have to call my doctor and find out.
259
260 SGT. FENNER: Did P.O. Neary question you regarding the discrepancy with the date recorded on your doctor's statement and the revised date that you stated to the Medical Services Section during the telephone conversation on 06 January 2015?
261
262 P.O. MICELI: I believe so.
263
264 SGT. FENNER: What reason did you give P.O. Neary regarding the discrepancy?
265
266 P.O. MICELI: It's possible that I mistakenly screwed up the dates. In the past, I have called and talked to the front desk staff at the Medical Section to let them know of a date for my doctor's appointment and they've actually read the wrong date back.
267
268 P.O. MICELI:
269
270 SGT. FENNER:
271
272 P.O. MICELI:
273
274
275
276

Initials: AM mf

INVESTIGATIONS DIVISION
General Investigations Section

09 March 2015
Log No.:1073277

- 277 SGT. FENNER: Prior to this medical occurrence, have you failed to appear at other
278 appointments scheduled by the Medical Services Section?
279
280 P.O. MICELI: I don't recall.
281
282 SGT. FENNER: Since this medical occurrence, have you failed to appear at other
283 appointments scheduled by the Medical Services Section?
284
285 P.O. MICELI: I don't think so.
286
287 SGT. FENNER: How many missed appointments occurred in the last 12 months?
288
289 P.O. MICELI: As far as I know, just the two that we're talking about.
290
291 SGT. FENNER: What was your reason (s) for missing those two appointments?
292
293 P.O. MICELI: Same reason as before that I was too sick.
294
295 SGT. FENNER: Due to the discrepancy with the date of your doctor's appointment in
296 January, can you provide a doctor's statement reflecting the date and
297 time of your doctor's appointment with regard to this medical
298 occurrence?
299
300 P.O. MICELI: Yes, I would have to confer with my doctor unless they were dates
301 that was mistakenly wrote down.
302
303 SGT. FENNER: Please be advised that if you have any documentation such as a
304 doctor's statement to support your statement, you must submit the
305 documentation for this investigation as soon as possible. Is this
306 understood?
307
308 P.O. MICELI: Yes
309
310 SGT. FENNER: **Is there anything relative to this incident that you wish to add
311 to this statement?**
312
313 P.O. MICELI: No
314
315 SGT. FENNER: Is everything that you told me in this statement the truth to the best
316 of your knowledge?
317
318 P.O. MICELI: Yes
319
320 SGT. FENNER: After reading this statement consisting of 8 pages and finding it
321 contains the responses you have given to the questions asked, will
322 you sign it?

Initials: AM MF

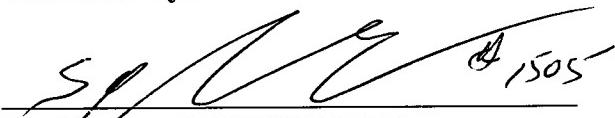
INVESTIGATIONS DIVISION
General Investigations Section

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323
324 P.O. MICELI: Yes
325
326 SGT. FENNER: Statement concluded at 1535 hours.
327
328
329

330 P.O. Anthony Mceli #16220
331
332 P.O. Anthony MICELI #16220
333 376 - Unit of Assignment
334
335
336

337 **Witnessed by:**

338 
339
340
341 Sgt. Dwayne JOHNSON #1505
342 Investigations Division
343 Area Central Section
344
345
346

347 **Questioned and typed by:**

348 
349
350
351 Sergeant Nakia FENNER #2306
352 Investigations Division
353 Area North Section

Initials: AM 1073

INVESTIGATIONS DIVISION
General Investigations Section

12 March 2015
Log No.:1073277

1 This is the statement of Witness Police Officer Dawn NEARY #12013 relative to the
2 below listed allegations that occurred on 23 December 2014 and 06 January 2015 at 3510
3 S Michigan (Medical Services Section), Chicago, IL 60653:

- 4
- 5 Allegations: 1). On 23 December 2014 at 1100 hours it is alleged that the
6 Accused Police Officer Anthony MICELI #16220 failed to follow
7 medical roll procedures in that MICELI failed to appear for a
8 scheduled appointment as directed by the Medical Services
9 Section.
- 10
- 11 2). On 06 January 2015 at 1300 hours it is alleged that the
12 Accused Police Officer Anthony MICELI #16220 failed to follow
13 medical roll procedures in that MICELI failed to appear for a
14 scheduled appointment as directed by the Medical Services
15 Section.
- 16
- 17 3). On 06 January 2015 at 1300 hours it is alleged that the
18 Accused Police Officer Anthony MICELI #16220 failed to follow
19 medical roll procedures in that MICELI provided inaccurate
20 statements regarding the date of his doctor's appointment.

21

22 Statement is being taken at the Bureau of Internal Affairs, Investigations Division, 3510
23 S. Michigan Avenue, Chicago, Illinois in Interview Room #4.

- 24
- 25 Questioned &
26 Typed by: SGT. Nakia FENNER #2306, Unit 121
- 27
- 28 Date, Time: 12 March 2015 at 1010 hours
- 29
- 30 SGT. FENNER: Are you accompanied by counsel/representative of your choosing,
31 and if so, identify him for the record?
- 32
- 33 P.O. NEARY: No
- 34
- 35 SGT. FENNER: Are you prepared to give your statement without the legal
36 representation of counsel?
- 37
- 38 P.O. NEARY: Yes
- 39
- 40 SGT FENNER: "Rule 14" of the Chicago Police Department's Rules and
41 Regulations prohibits making false reports, whether written or oral.
42 You may be separated from the Chicago Police Department if you
43 make a false report. Do you understand?
- 44
- 45 P.O. NEARY: Yes
- 46

Initials: DN 1/14

INVESTIGATIONS DIVISION
General Investigations Section

12 March 2015
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- 47 SGT. FENNER: Do you understand that at the completion of this typed interview,
48 this statement will become an official Chicago Police Department
49 report and that any deviation from the truth could result in
50 allegations or charges being placed against you?
- 51
- 52 P.O. NEARY: Yes
- 53
- 54 SGT. FENNER: At the conclusion of this interview, I will print out this statement
55 for your review. The purpose of the review is to provide you the
56 opportunity to ensure that the questions and answers are correct. I
57 will also ask you to initial each page and provide you with a copy
58 of this interview. Is this understood?
- 59
- 60 P.O. NEARY: Yes
- 61
- 62 SGT. FENNER: Please be aware that a Sworn Affidavit is not required for this case.
63 Are you ready to give your statement at this time?
- 64
- 65 P.O. NEARY: Yes, however this statement is not being given voluntarily, but
66 under duress. I am only giving this statement because I know that
67 I could lose my job if I refuse the direct order being given to me.
- 68
- 69 SGT. FENNER: What are your full name, rank, star number and unit of
70 assignment?
- 71
- 72 P.O. NEARY: Dawn M.Neary, Police Officer, #12013, Medical Services Section
- Unit 231
- 73
- 74 SGT. FENNER: What is your date of birth and Employee Number?
- 75
- 76 P.O. NEARY: [REDACTED] Employee # [REDACTED]
- 77
- 78 SGT. FENNER: What is your date of appointment to the Department?
- 79
- 80 P.O. NEARY: 14 December 1998
- 81
- 82 SGT. FENNER: How long have you been assigned to your present unit?
- 83
- 84 P.O. NEARY: 8 years
- 85
- 86 SGT. FENNER: Are you the Medical Services Section case manager for the accused
87 police officer Anthony MICELI?
- 88
- 89
- 90 P.O. NEARY: Yes
- 91
- 92

Initials: DN ml

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Attachment No.: _____

INVESTIGATIONS DIVISION
General Investigations Section

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- 93
94 SGT. FENNER: Did you personally provide Anthony MICELI with a copy of the
95 Medical Roll Certification Form dated 05 December 2014?
96
97 P.O. NEARY: Yes
98
99 SGT. FENNER: On 05 December 2014, what instructions were MICELI given when
100 he met with you at the Medical Services Section?
101
102 P.O. NEARY: I gave him next appointment date of 22 December 2014 at 1100
103 with medical documentation from his doctor that he was scheduled
104 for on 19 December 2014.
105
106 SGT. FENNER: What was your duty status and hours of assignment on 23
107 December 2014?
108
109 P.O. NEARY: I was probably on furlough because I had a 13A.
110
111 SGT. FENNER: Did MICELI have an appointment to report to you at the Medical
112 Services Section on 23 December 2014 at 1100 hours?
113
114 P.O. NEARY: He was supposed to come in on the 22nd but he called on the 22nd
115 at 1055 hours and spoke with P.O. Pawlak. She gave him an
116 extension until the 23rd at 1000.
117
118 SGT. FENNER: On 23 December 2014 were you notified by MICELI that he was
119 unable to appear at the Medical Services Section for his scheduled
120 appointment?
121
122 P.O. NEARY: I was not notified because I was on furlough.
123
124 SGT. FENNER: Who did MICELI notify?
125
126 P.O. NEARY: I do not know.
127
128 SGT. FENNER: On 23 December 2014 at 1100 hours or anytime thereafter, were you
129 made aware that MICELI did not appear at the Medical Services
130 Section for his scheduled appointment?
131
132 P.O. NEARY: I was made aware but I'm not sure when I returned from furlough.
133
134 SGT. FENNER: How were you made aware?
135
136 P.O. NEARY: I don't remember.
137

Initials:BN TMF

INVESTIGATIONS DIVISION
General Investigations Section

12 March 2015
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- 138 SGT. FENNER: After MICELI failed to appear for the scheduled appointment, was
139 MICELI contacted by you to determine the reason for the missed
140 appointment?
141
- 142 P.O. NEARY: No
143
- 144 SGT. FENNER: As a result of missing the previously scheduled appointment, was
145 MICELI disciplined in any manner?
146
- 147 P.O. NEARY: Not that I know.
148
- 149 SGT. FENNER: What was your duty status and hours of assignment on 26
150 December 2014?
151
- 152 P.O. NEARY: I think I was still on furlough.
153
- 154 SGT. FENNER: On 26 December 2014 were you notified by MICELI that he was
155 unable to appear at the Medical Services Section for his scheduled
156 appointment on 23 December 2014?
157
- 158 P.O. NEARY: No
159
- 160 SGT. FENNER: Who did MICELI notify?
161
- 162 P.O. NEARY: Sgt. Risley
163
- 164 SGT. FENNER: Were you made aware that MICELI telephoned the Medical Services
165 Section on 26 December 2014 to make that notification?
166
- 167 P.O. NEARY: I probably was not notified until I returned from furlough after the
168 holidays.
169
- 170 SGT. FENNER: How were you made aware?
171
- 172 P.O. NEARY: From Sgt. Risley
173
- 174 SGT. FENNER: What reason did MICELI give for failing to appear for the
175 appointment on 23 December 2014?
176
- 177 P.O. NEARY: He had a flare up of back pain.
178
- 179 SGT. FENNER: Did you determine the reason that MICELI had given to be valid and
180 accurate?
181
- 182 P.O. NEARY: Due to being on furlough, I wasn't present at work.
183

Initials: DR dtf

INVESTIGATIONS DIVISION
General Investigations Section

12 March 2015
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- 184 SGT. FENNER: What instructions were MICELI given when he telephoned the
185 Medical Services Section?
- 186
- 187 P.O. NEARY: According to the progress notes, he was instructed by Sgt. Risley to
188 report to the Medical Section after his doctor's appointment on 06
189 January 2015 at 1300.
- 190
- 191 SGT. FENNER: What was your duty status and hours of assignment on 06 January
192 2015?
- 193
- 194 P.O. NEARY: I worked 0700 – 1500.
- 195
- 196 SGT. FENNER: Did MICELI have an appointment to report to you at the Medical
197 Services Section on 06 January 2015 at 1300 hours?
- 198
- 199 P.O. NEARY: Yes
- 200
- 201 SGT. FENNER: On 06 January 2015 were you notified by MICELI that he was
202 unable to appear at the Medical Services Section for his scheduled
203 appointment?
- 204
- 205 P.O. NEARY: No
- 206
- 207 SGT. FENNER: Who did MICELI notify?
- 208
- 209 P.O. NEARY: Civilian Rhonda Clayton. He called her at 1259 hours.
- 210
- 211 SGT. FENNER: Were you made aware that MICELI telephoned the Medical
212 Services Section on 06 January 2015 to make that notification?
- 213
- 214 P.O. NEARY: Yes
- 215
- 216 SGT. FENNER: How were you made aware?
- 217
- 218 P.O. NEARY: I checked the progress notes.
- 219
- 220 SGT. FENNER: What reason did MICELI give for failing to appear for the
221 appointment?
- 222
- 223 P.O. NEARY: His appointment was changed and rescheduled for the following
224 day, 07 January 2015.
- 225
- 226 SGT. FENNER: Did you determine the reason that MICELI had given to be valid and
227 accurate?
- 228
- 229 P.O. NEARY: No

Initials: dnf

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General Investigations Section

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- 230 SGT. FENNER: What did you determine and why?
- 231
- 232 P.O. NEARY: I determined that his appointment was for 06 January 2015 and
233 that he had already seen his doctor. He did not have an
234 appointment for 07 January 2015. I spoke to the doctor's office.
- 235
- 236 SGT. FENNER: Based upon your determination, did you give MICELI a direct
237 order to report to the Medical Services Section on 06 January
238 2015?
- 239
- 240 P.O. NEARY: I gave him an order to report on the 07 January 2015 at 1400.
- 241
- 242 SGT. FENNER: Initially when MICELI telephoned the Medical Section, he spoke
243 with Civilian [REDACTED]. How did you make contact with MICELI to
244 give him that order?
- 245
- 246 P.O. NEARY: I called him via his cell home.
- 247
- 248 SGT. FENNER: What instructions were MICELI given by you when you
249 telephoned him?
- 250
- 251 P.O. NEARY: I told him to come down after his doctor's appointment with his
252 doctor's note explaining his work status.
- 253
- 254 SGT. FENNER: As a result of missing the previously scheduled appointment on 06
255 January 2015, was MICELI disciplined in any manner?
- 256
- 257 P.O. NEARY: I don't know.
- 258
- 259 SGT. FENNER: What was your duty status and hours of assignment on 07 January
260 2015?
- 261
- 262 P.O. NEARY: Working 0700 -1500.
- 263
- 264 SGT. FENNER: Did MICELI have an appointment to report to you at the Medical
265 Services Section on 07 January 2015 at 1300 hours?
- 266
- 267 P.O. NEARY: Yes
- 268
- 269 SGT. FENNER: Did MICELI appear at the Medical Services Section and meet with
270 you on 07 January 2015?
- 271
- 272 P.O. NEARY: Yes
- 273
- 274 SGT. FENNER: After MICELI reported to the Medical Services Section, did you
275 speak with MICELI about his previously missed appointments?

Initials: DN 141

INVESTIGATIONS DIVISION
General Investigations Section

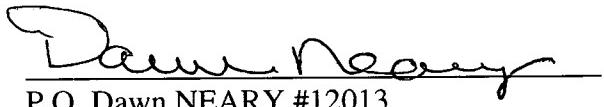
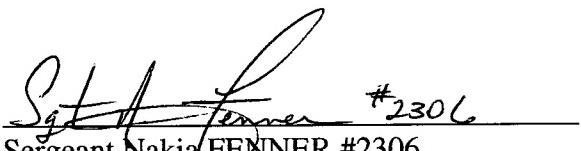
12 March 2015
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- 276
277 P.O. NEARY: I don't think I did but I did ask him about the date on his doctor's
278 note.
279
280 SGT. FENNER: During the meeting, did MICELI provide a doctor's statement
281 indicating the date and time of his last doctor's appointment?
282
283 P.O. NEARY: Yes
284
285 SGT. FENNER: What date and time was indicated?
286
287 P.O. NEARY: 06 January 2015
288
289 SGT. FENNER: Did you question MICELI about the date of his doctor's
290 appointment?
291
292 P.O. NEARY: Yes
293
294 SGT. FENNER: What was MICELI's response regarding the discrepancy with the
295 date recorded on his doctor's statement and the January 7th date that
296 he stated to the Medical Services Section during the telephone
297 conversation on 06 January 2015?
298
299 P.O. NEARY: MICELI reported that "I was in his office today. He must have
300 wrote the wrong date".
301
302 SGT. FENNER: Does MICELI have a history or pattern of missing appointments
303 without notification?
304
305 P.O. NEARY: Yes
306
307 SGT. FENNER: Does MICELI have a history or pattern of cancelling or rescheduling
308 appointments for various reasons?
309
310 P.O. NEARY: Yes
311
312 SGT. FENNER: What is your knowledge of his medical roll history or pattern?
313
314 P.O. NEARY: It's frequent. He misses appointments and changes appointment
315 frequently. He uses the medical roll a lot.
316
317 SGT. FENNER: Can you recall the dates of those missed appointments?
318
319 P.O. NEARY: No.
320
321

Initials: DN mf

INVESTIGATIONS DIVISION
General Investigations Section

12 March 2015
Log No.:1073277

- 322 SGT. FENNER: Since you were on furlough during December, who was the
323 temporary case manager for the accused police officer Anthony
324 MICELI?
- 325
- 326 P.O. NEARY: It's anyone that is available for that day.
- 327
- 328 SGT. FENNER: Who would have been the case manager for MICELI on 23
329 December 2014?
- 330
- 331 P.O. NEARY: Who ever was available.
- 332
- 333 SGT. FENNER: Who would have been the case manager for MICELI on 26
334 December 2014?
- 335
- 336 P.O. NEARY: Who ever was available.
- 337
- 338 SGT. FENNER: **Is there anything relative to this incident that you wish to add
339 to this statement?**
- 340
- 341 P.O. NEARY: No
- 342
- 343 SGT. FENNER: Is everything that you told me in this statement the truth to the best
344 of your knowledge?
- 345
- 346 P.O. NEARY: Yes
- 347
- 348 SGT. FENNER: After reading this statement consisting of 8 pages and finding it
349 contains the responses you have given to the questions asked, will
350 you sign it?
- 351
- 352 P.O. NEARY: Yes
- 353
- 354 SGT. FENNER: Statement concluded at 1045 hours.
- 355
- 356
- 357
- 358 
359 P.O. Dawn NEARY #12013
- 360 231 - Unit of Assignment
- 361
- 362
- 363 
364 Sergeant Nakia FENNER #2306
- 365 Investigations Division
- 366 General Investigations Section

Initials DN

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INVESTIGATIONS DIVISION
General Investigations Section

26 February 2015
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1 This is the statement of Reporting Party Witness Sgt. Thomas RISLEY #2585 relative to
2 the below listed allegations that occurred on 23 December 2014 and 06 January 2015 at
3 3510 S Michigan (Medical Services Section), Chicago, IL 60653:

4
5 Allegations: 1). On 23 December 2014 at 1100 hours it is alleged that the
6 Accused Police Officer Anthony MICELI #16220 failed to follow
7 medical roll procedures in that MICELI failed to appear for a
8 scheduled appointment as directed by the Medical Services
9 Section.

10
11 2). On 06 January 2015 at 1300 hours it is alleged that the
12 Accused Police Officer Anthony MICELI #16220 failed to follow
13 medical roll procedures in that MICELI failed to appear for a
14 scheduled appointment as directed by the Medical Services
15 Section.

16
17 3). On 06 January 2015 at 1300 hours it is alleged that the
18 Accused Police Officer Anthony MICELI #16220 failed to follow
19 medical roll procedures in that MICELI provided inaccurate
20 statements regarding the date of his doctor's appointment.

21
22 Statement is being taken at the Bureau of Internal Affairs, Investigations Division, 3510
23 S. Michigan Avenue, Chicago, Illinois in Interview Room #1.

24
25 Questioned & SGT. Nakia FENNER #2306, Unit 121
26 Typed by:

27
28 Date, Time: 26 February 2015 at 1230 hours

29
30 SGT. FENNER: Are you accompanied by counsel/representative of your choosing,
31 and if so, identify him for the record?

32
33 SGT. RISLEY: No

34
35 SGT. FENNER: Are you prepared to give your statement without the legal
36 representation of counsel?

37
38 SGT. RISLEY: Yes

39
40 SGT FENNER: "Rule 14" of the Chicago Police Department's Rules and
41 Regulations prohibits making false reports, whether written or oral.
42 You may be separated from the Chicago Police Department if you
43 make a false report. Do you understand?

44
45 SGT. RISLEY: Yes

46
Initials: Sgt. T. Risley

INVESTIGATIONS DIVISION
General Investigations Section

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- 47 SGT. FENNER: Do you understand that at the completion of this typed interview,
48 this statement will become an official Chicago Police Department
49 report and that any deviation from the truth could result in
50 allegations or charges being placed against you?
- 51
- 52 SGT. RISLEY: Yes
- 53
- 54 SGT. FENNER: At the conclusion of this interview, I will print out this statement
55 for your review. The purpose of the review is to provide you the
56 opportunity to ensure that the questions and answers are correct. I
57 will also ask you to initial each page and provide you with a copy
58 of this interview. Is this understood?
- 59
- 60 SGT. RISLEY: Yes
- 61
- 62 SGT. FENNER: Please be aware that a Sworn Affidavit is not required for this case.
63 Are you ready to give your statement at this time?
- 64
- 65 SGT. RISLEY: I want to preface this statement by saying that I am not giving this
66 statement voluntarily, but under duress. I am only giving this
67 statement because I have been advised both orally and in writing
68 that I must give this statement or I will be fired from my job if I
69 refuse.
- 70
- 71 SGT. FENNER: What are your full name, rank, star number and unit of
72 assignment?
- 73
- 74 SGT. RISLEY: Thomas Bryan Risley, Sergeant, #2585, Human Resources - Unit
75 123
- 76
- 77 SGT. FENNER: What is your date of birth and Employee Number?
- 78
- 79 SGT. RISLEY: [REDACTED], Employee # [REDACTED]
- 80
- 81 SGT. FENNER: What is your date of appointment to the Department?
- 82
- 83 SGT. RISLEY: 14 February 1989
- 84
- 85 SGT. FENNER: How long have you been assigned to your present unit?
- 86
- 87 SGT. RISLEY: 10 months
- 88
- 89 SGT. FENNER: What was your duty status and hours of assignment on 23
90 December 2014?
- 91

Initials: TBR

INVESTIGATIONS DIVISION
General Investigations Section

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- 92 SGT. RISLEY: Cannot confirm my duty status for that day. I'm assigned as the
93 Administrative Sergeant of the Medical Services Section.
94
95 SGT. FENNER: According to your Initiation Report, the accused Police Officer
96 MICELI failed to appear for his scheduled Medical Services Section
97 appointment on 23 December 2014 at 1100 hours. Is this
98 information correct?
99
100 SGT. RISLEY: Yes
101
102 SGT. FENNER: Did the accused MICELI notify the Medical Services Section prior
103 to his scheduled appointment that he was unable to appear for the
104 appointment?
105
106 SGT. RISLEY: According to my progress note entered on 26 December 2014,
107 MICELI was asked whom did he speak with and whether or not he
108 obtained a confirmation number for 23 December. He stated that
109 he could not recall who he spoke with and that he did not receive a
110 confirmation number.
111
112 SGT. FENNER: As a result of missing the previously scheduled appointment, was
113 MICELI disciplined in any manner?
114
115 SGT. RISLEY: I can't recall.
116
117 SGT. FENNER: What supervisory actions were taken as a result of MICELI missing
118 the previously scheduled appointment?
119
120 SGT. RISLEY: I can't recall. I don't believe any disciplinary action was taken at
121 this point.
122
123 SGT. FENNER: After MICELI failed to appear for the scheduled appointment, was
124 MICELI contacted by the Medical Services Section to determine the
125 reason for the missed appointment?
126
127 SGT. RISLEY: I have to say that I do not recall.
128
129 SGT. FENNER: What was your duty status and hours of assignment on 26
130 December 2014?
131
132 SGT. RISLEY: I believe that I was assigned as the Administrative Sergeant of the
133 Medical Services Section.
134
135 SGT. FENNER: According to your Initiation Report, MICELI contacted the Medical
136 Services Section on 26 December 2014 to notify MSS that he was
137 unable to report for his appointment on 23 December 2014 and

Initials: TRM JM

INVESTIGATIONS DIVISION
General Investigations Section

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- 184 SGT. RISLEY: I don't believe that I did.
- 185
- 186 SGT. FENNER: With whom did MICELI speak?
- 187
- 188 SGT. RISLEY: Civilian call-taker [REDACTED]
- 189
- 190 SGT. FENNER: What reason did MICELI give for failing to appear for the appointment?
- 191
- 192 SGT. RISLEY: He claimed that his doctor's appointment had been changed from 06 January 2015 to 07 January 2015 at 1030 hours.
- 193
- 194 SGT. FENNER: Did you determine the reason that MICELI had given to be valid and accurate?
- 195
- 196 SGT. RISLEY: Personally, I did not. I directed MICELI case manager to attempt to verify that information.
- 197
- 198
- 199 SGT. RISLEY: Who was MICELI'S case manager?
- 200
- 201 SGT. FENNER: Officer Dawn Neary
- 202
- 203 SGT. RISLEY: What did Officer Neary determine?
- 204
- 205 SGT. RISLEY: Officer Neary contacted MICELI'S doctor's office. She was able to verify that MICELI'S original medical appointment was scheduled for 05 January 2015. He rescheduled the appointment for 06 January 2015 and that he had already been seen by his doctor. This inquiry was made on 06 January 2015 at approximately 1341 hours.
- 206
- 207 SGT. FENNER: Were there any other instructions given to MICELI when he telephoned the Medical Services Section on 06 January 2015?
- 208
- 209 SGT. RISLEY: Not to my knowledge.
- 210
- 211 SGT. FENNER: Did you give MICELI a direct order to report to the Medical Services Section on 06 January 2015?
- 212
- 213 SGT. RISLEY: It was not a direct order. I simply told MICELI to report to the Medical Services Section at 1300 hours on 06 January 2015 following the doctor's appointment that he claimed was on 06 January 2015 at 1100 hours.
- 214
- 215 SGT. FENNER: Why did you not give MICELI a direct order to report on 06 January 2015?
- 216
- 217
- 218
- 219
- 220
- 221
- 222
- 223
- 224
- 225
- 226
- 227
- 228
- 229

Initials: 

INVESTIGATIONS DIVISION
General Investigations Section

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- 230
231 SGT. RISLEY: I did not feel that it was warranted.
232
233 SGT. FENNER: As a result of missing the previously scheduled appointment on 06 January 2015, was MICELI disciplined in any manner?
234
235
236 SGT. RISLEY: At this point, not to my knowledge.
237
238 SGT. FENNER: What was your duty status and hours of assignment on 07 January 2015?
239
240
241 SGT. RISLEY: I believe that I was assigned as the Administrative Sergeant of the Medical Services Section.
242
243
244 SGT. FENNER: According to the Initiation Report, MICELI indicated that he had a doctor's appointment on 07 January 2015 at 1030 hours. Did MICELI appear at the Medical Services Section on 07 January 2015?
245
246
247
248
249 SGT. RISLEY: Yes he did.
250
251 SGT. FENNER: After MICELI reported to the Medical Services Section, did you personally speak with MICELI about his previously missed appointments?
252
253
254
255 SGT. RISLEY: I don't believe that I did.
256
257 SGT. FENNER: Upon reporting to the Medical Services Section, did MICELI provide a doctor's statement indicating the date and time of his last doctor's appointment?
258
259
260
261 SGT. RISLEY: According to my initiation report, he did.
262
263 SGT. FENNER: What date and time was indicated?
264
265 SGT. RISLEY: Again referring to my initiation report, the date was 06 January 2015. No time was indicated on the doctor's note.
266
267
268 SGT. FENNER: Did you question MICELI about the date of his doctor's appointment?
269
270
271 SGT. RISLEY: I did not. According to my initiation report, his case manager Dawn Neary did inquiry about the discrepancy.
272
273
274
275

Initials: 

INVESTIGATIONS DIVISION
General Investigations Section

26 February 2015
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- 276 SGT. FENNER: What was MICELI's response regarding the discrepancy with the
277 date recorded on his doctor's statement and the revised date that he
278 stated to the Medical Services Section during the telephone
279 conversation on 06 January 2015?
- 280
281 SGT. RISLEY: According to my initiation report and my review of the progress
282 notes, MICELI informed his case manager Dawn Neary that he
283 was actually in the doctor's office today, 07 January 2015, and
284 MICELI claimed that the doctor's office must have written the
285 wrong date.
- 286
287 SGT. FENNER: Does MICELI have a history or pattern of missing appointments
288 without notification?
- 289
290 SGT. RISLEY: I have some knowledge of that.
- 291
292 SGT. FENNER: Does MICELI have a history or pattern of delaying appointments for
293 various reasons?
- 294
295 SGT. RISLEY: He does have a history of missing appointments with the medical
296 section.
- 297
298 SGT. FENNER: What is your knowledge of his history or pattern?
- 299
300 SGT. RISLEY: I believe MICELI has been the subject of at least 4 irregularity
301 reports regarding missed appointments at the Medical Services
302 Section.
- 303
304 SGT. FENNER: Can you recall the dates of those missed appointments or irregularity
305 reports?
- 306
307 SGT. RISLEY: No I can't but I can verify if it is required at a later date.
- 308
309 SGT. FENNER: Can you provide copies of those irregularity reports and any other
310 documentation for this investigation?
- 311
312 SGT. RISLEY: Yes, absolutely.
- 313
314 SGT. FENNER: **Is there anything relative to this incident that you wish to add
315 to this statement?**
- 316
317 SGT. RISLEY: No
- 318
319 SGT. FENNER: Is everything that you told me in this statement the truth to the best
320 of your knowledge?
- 321

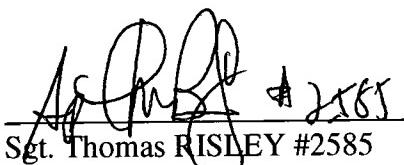
Initials: 

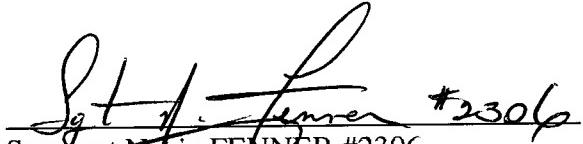
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- 322 SGT. RISLEY: Yes
323
324 SGT. FENNER: After reading this statement consisting of 8 pages and finding it
325 contains the responses you have given to the questions asked, will
326 you sign it?
327
328 SGT. RISLEY: Yes
329
330 SGT. FENNER: Statement concluded at 1325 hours.
331
332
333

334 **SIGNATURE PAGE ONLY**

335
336
337 
338 Sgt. Thomas RISLEY #2585
339
340 123 - Unit of Assignment

341
342
343 
344 Sergeant Nakia FENNER #2306
345
346 Investigations Division
347 General Investigations Section

Initials: _____

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Attachment No.:_____

Bureau of Internal Affairs
Investigations Division
General Investigations Section

10 June 2015
Log# 1073277

TO: Commanding Officer
Investigations Division
General Investigations Section

FROM: Sergeant Nakia Fenner #2306
Investigations Division
General Investigations Section

SUBJECT: Approval of Log Investigation Log # 1073277

The attached log investigation has been completed and is submitted for your approval.



Sgt Nakia Fenner #2306
Sergeant Nakia Fenner #2306
Investigations Division
General Investigations Section

APPROVED:

A. P. O'Fallon 11 Jun 15
A. P. O'Fallon
Case Management Supervisor
Investigations Division
General Investigations Section

SUMMARY REPORT DIGEST

CHICAGO POLICE DEPARTMENT

LOG NO
1073277

TYPE
CR

DATE OF REPORT
10-JUN-2015

INSTRUCTIONS: To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, NO AFFIDAVIT, or in SUSTAINED cases where the Disciplinary Recommendation does not exceed Five (5) DAYS SUSPENSION.

TO: DEPUTY SUPERINTENDENT, BUREAU OF PROFESSIONAL STANDARDS
ATTENTION: CHIEF, INTERNAL AFFAIRS DIVISION

| FROM - INVESTIGATOR'S NAME | RANK | STAR NO | EMPLOYEE NO | UNIT ASSIGNED | UNIT DETAILED |
|----------------------------|------|---------|-------------|---------------|---------------|
| FENNER, NAKIA | 9171 | 2306 | [REDACTED] | 121 | |

REFERENCE NOS.(LIST ALL RELATED C.L., C.B., I.R., INVENTORY NOS., ETC., PERTINENT OF THIS INVESTIGATION)

| | | |
|---|--------------------------------|-----------|
| INCIDENT ADDRESS: 3510 S. MICHIGAN AVE, CHICAGO, IL 60653 | DATE / TIME: 23-DEC-2014 11:12 | BEAT: 213 |
|---|--------------------------------|-----------|

ACCUSED

| NAME | RANK | STAR NO | EMP NO | UNIT ASSIGNED | UNIT DETAILED | SEX/RACE | DOB | APPOINTED DATE | ON DUTY ? | SWORN ? |
|-------------------|------|---------|------------|------------------|------------------|----------|------------|-------------------|--------------|------------|
| MICELI, ANTHONY J | 9161 | 16220 | [REDACTED] | 006 | 376 | M / WHI | [REDACTED] | 24-NOV-2003 | NO | YES |

REPORTING PARTY

| NAME | ADDRESS* | CITY STATE | TELEPHONE | SEX / RACE | DOB / AGE |
|----------------|---|------------|------------|------------|-----------------|
| RISLEY, THOMAS | RANK: 9171,STAR NO: 2585, EMP NO [REDACTED] | [REDACTED] | [REDACTED] | M / WHI | [REDACTED] / 50 |

VICTIMS

| NAME | ADDRESS* | CITY STATE | TELEPHONE | SEX / RACE | DOB / AGE |
|------|----------|------------|-----------|------------|-----------|
| | | | | | |

WITNESSES

| NAME | ADDRESS* | CITY STATE | TELEPHONE | SEX / RACE | DOB / AGE |
|----------------|---|------------|------------|------------|-----------------|
| RISLEY, THOMAS | RANK: 9171,STAR NO: 2585,EMP NO [REDACTED] | [REDACTED] | [REDACTED] | M / WHI | [REDACTED] / 50 |
| NEARY, DAWN | RANK: 9161,STAR NO: 12013,EMP NO [REDACTED] | [REDACTED] | [REDACTED] | F / WHI | [REDACTED] / 48 |

* IF CPD MEMBER, LIST RANK, STAR, EMPLOYEE NOS. IN ADDRESS, PAX/BELL IN TELEPHONE BOX.

ALLEGATIONS

Complaint Log "Type" is classified CR – Sworn Affidavit is not required.

Accused: Police Officer Anthony MICELI, #16220, Unit 376

Allegation #1: On 23 December 2014 at 1100 hours at 3510 S Michigan (Medical Services Section), reporting party Sgt. Thomas RISLEY #2585 alleges that the accused police officer Anthony MICELI #16220 failed to follow medical roll procedures in that MICELI failed to appear for a scheduled appointment as directed by the Medical Services Section.

Allegation #2: On 06 January 2015 at 1300 hours at 3510 S Michigan (Medical Services Section), reporting party Sgt. Thomas RISLEY #2585 alleges that the accused police officer Anthony MICELI #16220 failed to follow medical roll procedures in that MICELI failed to appear for a scheduled appointment as directed by the Medical Services Section.

Allegation #3: On 06 January 2015 at 1300 hours at 3510 S Michigan (Medical Services Section), reporting party Sgt. Thomas RISLEY #2585 alleges that the accused police officer Anthony MICELI #16220 failed to follow medical roll procedures in that MICELI provided inaccurate statements regarding the date of his doctor's appointment.

SUMMARY

(SEE CONTINUATION PAGE)

ATTACHMENTS

| INVESTIGATIVE REPORTS - SUPPORTING ALLEGATIONS LIST ATTACHMENTS NUMBER | INVESTIGATIVE REPORTS - SUPPORTING ACCUSED MEMBERS(S) LIST ATTACHMENTS NUMBER: | PHYSICAL EVIDENCE LIST ATTACHMENTS NUMBERS: | TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE: |
|--|--|---|---|
| 0 | 0 | 0 | 15 |

FINDINGS - RECOMMENDATIONS

FINDINGS:

Accused: Police Officer Anthony MICELI #16220, Unit 376

Allegation #1: NOT SUSTAINED

Allegation #2: NOT SUSTAINED

Allegation #3: NOT SUSTAINED

| DATE INITIATED (Date incident was received for investigation) | DATE COMPLETED (Date of this report) | ELAPSED TIME (Total time expressed in days) |
|--|--------------------------------------|--|
| 12-JAN-2015 | 10-JUN-2015 | 149 |
| Investigator will initiate the Command Channel Review form by completing the Investigator's Section. | | INVESTIGATOR'S SIGNATURE  |

IF NECESSARY, USE AN 8 1/2 x 11" SHEET OF WHITE PAPER TO CONTINUE ANY ITEM.

**SUMMARY REPORT DIGEST
General Investigations Section**

CL 1073277

SUMMARY:

This complaint was initiated by Sgt. Thomas RISLEY #2585 who submitted an Initiation Report which alleged that the accused police officer Anthony MICELI #16220 failed to appear for scheduled appointments as directed by the Medical Services Section and provided inaccurate statements regarding the date of his doctor's appointment. Since the reporting party is a sergeant, a sworn affidavit is not required for this case. R/S reviewed the initiation report, the Medical Roll/Limited Duty Certification form, and the Medical Service Section Progress Notes, which indicated that the accused police officer MICELI was on the medical roll from 14 November 2014 until 07 January 2015. The Progress Notes indicate that the accused MICELI had the following Medical Services Section appointments: 22 December 2014 1100 hours, 23 December 2014 1100 hours, 06 January 2015 1300 hours and 07 January 2015 after 1030 hours. According to the Progress Notes, the accused MICELI called the Medical Services Section on 22 December 2014, 26 December 2014 and 06 January 2015 and requested an extension due to either being sick or the need to follow up with his doctor. However, the Progress Notes do not indicate that the accused MICELI called the Medical Services Section on 23 December 2014 to notify MSS personnel that he was unable to report to his scheduled appointment at 1100 hours. The Progress Notes show that the accused MICELI called on 26 December 2014 and notified Reporting Party Sgt RISLEY #2585 that he was unable to report to the Medical Services Section on 23 December 2014. According to the Progress Notes, the accused MICELI stated that he called the Medical Services Section on 23 December 2014 but doesn't recall who he spoke with and did not receive a confirmation number. Reporting party Sgt RISLEY advised MICELI to report to the Medical Services Section on 06 January 2015 at 1100 hours. According to the Progress Notes, the accused MICELI called the Medical Services Section on 06 January 2015 and stated that his doctor's appointment was changed from 06 January 2015 at 1100 hours to 07 January 2015 at 1030 hours. The accused MICELI was directed to report to the Medical Services Section on 07 January 2015 after his doctor's appointment. The accused MICELI appeared at the Medical Services Section on 07 January 2015 at 1228 hours and submitted a doctor's statement dated 06 January 2015, which cleared him to return to duty on 08 January 2015. The case manager Dawn NEARY #12013 (witness) questioned the accused MICELI about the doctor's statement and MICELI replied "I was in his office today, he must have written wrong date". (Attachments 3-6)

The Reporting Party Sgt. Thomas RISLEY #2585 was interviewed and his statement was taken on 26 February 2015 at the Bureau of Internal Affairs. In summary, the initiation report from Sgt. RISLEY alleges that the accused MICELI failed to follow medical roll policy in that MICELI failed to appear for a scheduled appointment on 23 December 2014 and 06 January 2015, and on 06 January 2015 MICELI provided inaccurate statements to the MSS personnel regarding his doctor's appointment. The statement of Sgt. RISLEY coincides with the Progress Notes of the Medical Services Section. According to Sgt RISLEY'S statement, MICELI called the Medical Services Section on the above listed dates and requested an extension. Each time that MICELI called the

SUMMARY REPORT DIGEST**CL 1073277****General Investigations Section**

Medical Services Section and requested an extension, MICELI was given another date to report to the Medical Services Section. MICELI finally reported to the Medical Services Section on 07 January 2015 with a doctor's statement. According to Sgt. RISLEY, he did not give MICELI a direct order to report to the Medical Services Section on 06 January 2015. Sgt. RISLEY also stated that he did not speak with MICELI about his missed appointments or the doctor's note, and he did not initiate any disciplinary action against MICELI for failing to report to the Medical Services Section on 23 December 2014 and 06 January 2015. (Attachments 4,11)

The Witness P.O. Dawn NEARY #12013 was interviewed and her statement was taken on 12 March 2015 at the Bureau of Internal Affairs. The statement of witness P.O. NEARY coincides with the Progress Notes of the Medical Services Section, as well as with the statement of Sgt. RISLEY. P.O. NEARY is the MSS case manager for the accused MICELI, however NEARY was on furlough during 21 December 2014 – 03 January 2015 and did not have any contact with MICELI until 06 January 2015. During P.O. NEARY'S furlough, the accused MICELI was not assigned to another case manager. For 23 December 2014 and 26 December 2014, MICELI would have been assigned to any case manager that was available that day. P.O. NEARY spoke with MICELI via telephone on 06 January 2015 and directed MICELI to report to the Medical Services Section on 07 January 2015 at 1400 hours. MICELI appeared at the Medical Services Section and submitted a doctor's statement dated 06 January 2015. P.O. NEARY questioned MICELI about the date and MICELI stated "I was in his office today. He must have wrote the wrong date". (Attachment 15)

Accused police officer Anthony MICELI #16220 was served and his statement was taken on 09 March 2015 at the Bureau of Internal Affairs. According to his statement, MICELI related that he called the Medical Services Section on 23 December 2014, 26 December 2014 and 06 January 2015 to notify MSS personnel that he was unable to report to the Medical Services Section for his scheduled appointments. MICELI related that he does not recall who he talked to or the confirmation number. The person he talked to on 23 December 2014 and 06 January 2015 instructed him that if he was too sick or unable to appear at the Medical Services Section to call again for an extension date. MICELI related that he appeared at the Medical Services Section on 07 January 2015 and met with case manager P.O. NEARY and submitted a doctor's statement. When questioned by P.O. NEARY regarding the date of 06 January 2015 on the doctor's statement, MICELI stated that it was possible that he mistakenly screwed up the dates. After the statement was taken, MICELI submitted another doctor's statement to R/S in response to this investigation. The doctor's statement related that MICELI was at the doctor's office on 07 January 2015 to receive blood test results. (Attachments 7, 13)

Based upon this investigation and the evidence gathered, R/S has determined that there is insufficient evidence to either prove or disprove the allegation, therefore the allegation is classified as NOT SUSTAINED.

Attachments**CL 1073277**

| No. | Type | Related Person | No. of Pages | Narrative |
|-----|---|-----------------------------------|--------------|--|
| 1 | FACE SHEET | N/A | | |
| 2 | CONFLICT CERTIFICATION | N/A | | |
| 3 | SWORN AFFIDAVIT FROM COMPLAINANT | N/A | 1 | NOT REQUIRED |
| 4 | INITIATION REPORT | OTHER INV. PARTY - RISLEY, THOMAS | 3 | |
| 5 | REPORT (OTHER) | ACCUSED - MICELI, ANTHONY | 6 | Medical Certification and Progress Notes |
| 6 | REPORT (OTHER) | ACCUSED - MICELI, ANTHONY | 1 | Doctor Statement |
| 7 | REPORT (OTHER) | ACCUSED - MICELI, ANTHONY | 1 | Doctor Statement #2 |
| 8 | REPORT (OTHER) | OTHER INV. PARTY - RISLEY, THOMAS | 2 | Submitted by Medical Services Section |
| 9 | DEPARTMENT DIRECTIVE OR GENERAL ORDER | N/A | 5 | E03-01-02 |
| 10 | WITNESS NOTIFICATION FOR RISLEY, THOMAS | WITNESS - RISLEY, THOMAS | | |
| 11 | STATEMENT OF POLICE OFFICER | OTHER INV. PARTY - RISLEY, THOMAS | 8 | SERGEANT |
| 12 | ACCUSED NOTIFICATION OF ALLEGATIONS FOR MICELI, ANTHONY | ACCUSED - MICELI, ANTHONY | | |
| 13 | STATEMENT OF POLICE OFFICER | ACCUSED - MICELI, ANTHONY | 8 | |
| 14 | WITNESS NOTIFICATION FOR NEARY, DAWN | WITNESS - NEARY, DAWN | | |
| 15 | STATEMENT OF POLICE OFFICER | OTHER INV. PARTY - NEARY, DAWN | 8 | MSS Case Manager |